Volume XXXVII] *March, 1922* [*Number 1*

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POLITICAL SCIENCE QUARTERLY

THE LEAGUE'S DISARMAMENT ACTIVITIES—AND THE WASHINGTON CONFERENCE

THE work of the League in promoting the cause of limitation, reduction, and ultimate abolition of armaments, except for police purposes, is based on provisions in the Treaty of Versailles. The preamble of Part V—Military, Naval and Air Clauses—reads:

"In order to render possible the initiation of a general limitation of the armaments of all nations, Germany undertakes strictly to observe the military, naval and air clauses which follow."

The menace of armaments to peace is recognized in Article 8 of the Covenant:

> The Members of the League recognize that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations.
>
> The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments.
>
> Such plans shall be subject to reconsideration and revision at least every 10 years.
>
> After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.
>
> The Members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon

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such manufacture can be prevented, due regard being had to the necessities of those Members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

The Members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programs, and the condition of such of their industries as are adaptable to warlike purposes.

A state not named in the Annex of the Covenant (including Germany, when the time comes for her entry into the League) may be admitted "provided that it . . . shall accept such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments." (Article 1.)

Article 9 stipulates that "A permanent Commission shall be constituted to advise the Council on the execution of the provisions of Articles 1 and 8 and on military, naval and air questions generally."

Finally, under "social activities", the Covenant states that the members of the League, under international conventions, "will intrust the League with the general supervision of the trade in arms and ammunition with the countries in which the control of this traffic is necessary in the common interest." (Article 23.)

The above provisions rest upon a long-felt and widespread belief that huge competitive armaments and a world of peaceful cooperation are incompatible. Nevertheless, following the failure of the First Hague Conference to achieve one of its primary purposes, the limitation and reduction of armaments, the building of ever larger armies and navies went on at a constantly accelerating rate, until at last the Great War came.

During the war the suffering peoples and even many of their high military and naval officers were forced to the conclusion that the "war to end war" must also end the system of colossal armaments. The peace "feelers" and statements of statesmen like President Wilson, of religious leaders like the Pope, and much else that was said and written, confirmed the demand for the reduction of armed forces when the war should cease. This principle, following its statement in the "Fourteen Points" and in other public addresses, was finally accepted by the Allies and

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by Germany during the negotiations that led up to the Armistice.

As one of the armistice conditions, Germany was to be reduced to a condition of impotence in her military, naval and air forces. The outcome of the negotiations at Paris was the imposition of practical disarmament upon Germany in the very specific and detailed military, naval and air clauses of Articles 159 to 213. Germany was to be compelled to limit armaments so that other nations might also do so. In the words of one of the American peace commissioners, General Bliss, the twenty-seven nations signing the other side of the last page of the Treaty pledged themselves, in all good faith and honor, "to initiate, as soon as practicable, a general limitation of armaments after Germany shall have complied with her first obligations."[1] The Peace Conference, however, did not attempt a definite solution of the problem, apparently thinking such an assemblage as itself not well suited to the task, under the stormy conditions prevailing so soon after the close of hostilities; but the Conference recognized limitation as the cornerstone of the foundation of lasting peace.[2] The German counter-proposal demanded "general reduction and limitation within two years, up to which time special arrangements could be made for Germany"; furthermore it contended that the new German constitution was strictly democratic, and that the "German 'League of Nations' scheme gave stronger guarantees for limitation of armaments than did the Covenant embodied in the Treaty."[3]

Be that as it may, limitation, reduction and abolition of national competitive armaments, both on the part of the Central Powers and of the Allied and Associated Powers, seems necessary to make peace lasting and the success of the League of Nations possible. Such is the thought of the preamble of the Covenant and of that document as a whole, as an attempt to substitute law for war in what has been too often a warring world. Furthermore, in the view of leading authorities it will

[1] *Nation*, Dec. 22, 1920, p. 727.

[2] *Ibid.*, and the same author in House and Seymour (eds.), *What Really Happened at Paris*, p. 371.

[3] Temperley (ed.), *History of the Peace Conference*, vol. II, pp. 2–4.

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be impossible for the nations to restore their finances if they continue to spend a large portion of their governmental income upon preparation for war; and meantime Germany is illustrating what disarmament will do to make economic recovery possible. Indeed, disarmament "underlies the possibility of the existence of an association of nations for the maintenance of international peace, and the successful operation of an international court of justice and arbitral court."[1] If it be true, as the Covenant assumes, that international use of military and economic force will at times be necessary as a supplement to public opinion, manifestly the enforcement of the decisions of the League might be well-nigh impossible against a nation that was armed to the teeth. Though, as Garvin brings out interestingly from the economic side,[2] disarmament alone is not sufficient, at least one member[3] of Assembly Committee No. 6 (Armaments, Blockade and Mandates) considered disarmament one of the principal activities of the League, while the parliaments of two countries that were about to enter the League had regarded reduction as the most important question before the League of Nations.[4]

In carrying out the pledge of disarmament activities which the Allied and Associated Powers had given the Germans,[5] the League has worked through the Council, with the advisory and mixed commissions which it formed; the Assembly, with its Committee No. 6, which in turn had its disarmament subcommittee; the Secretariat; and other agencies that have been under or associated with the League, especially the International Financial Conference at Brussels in 1920.

The Council of the League of Nations, which represents the

[1] Bliss, in House and Seymour, *op. cit.*, p. 371. Senator Lenroot doubts if "any world organization will be very effective for the preservation of peace" without limitation and reduction.—*Annals*, Am. Acad. of Polit. and Social Science, July, 1921, p. 140.

[2] *Economic Foundations of Peace*, p. 483 *et seq.*

[3] President Motta of Switzerland.—*Journal* of the First Assembly of the League of Nations, no. 1, p. 6.

[4] According to Messrs. Fock of the Netherlands and Branting of Sweden.—*Proces-Verbaux* of the Committees of the First Assembly . . . No. 14, pp. 16-17.

[5] Reply of June 16, 1919.—Temperley, *op. cit.*, vol. II, pp. 302-303.

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powers of chief *military* and *naval* as well as political importance, has under Article 8 the major responsibility for the League's action leading toward disarmament. At its Rome meeting in May, 1920, the Council established the Permanent Advisory Commission on Military, Naval and Air Questions. In this body each nation represented on the Council has one military, one naval, and one air representative, while the other members of the League are invited to send three temporary delegates when matters directly interesting them are being discussed. Each delegation has one vote.[1] These experts may call in civilian advisers.

The Permanent Advisory Commission organized at San Sebastian in August, determined its procedure, established three sub-commissions—military, naval and air—and, with advice from the members' countries,[2] began the study of five questions:

1. The use of poison gas.

2. The military, naval and air conditions to be accepted by the states that had sought admission to the League.

3. The control of the traffic in arms and munitions.

4. The constitution and composition of the organization to be placed at the disposal of the Council for the investigation of Germany's fulfilment of the military, naval and air clauses, as authorized by Article 213 of the Treaty of Versailles.

5. The consideration of practical means of carrying out the terms of Article 8 of the Covenant, for reduction of armaments.[3]

The Commission reported through M. Bourgeois to the Council at Brussels in October, following careful study by the three sub-commissions. The Council instructed the Commission to continue its study.

At a plenary meeting in Geneva on November 25 this com-

[1] *League of Nations Official Journal*, No. 6, p. 341 (Sept., 1920).

[2] The P. A. C. was at the same time a body of technical advisers to the Council and a body of military experts responsible to their respective governments. *Report of Comm. No. 6 to the Assembly, L. of N. A. D. 199* [*223*].

[3] *L. of N. O. J.*, no. 8, p. 34 (Nov.–Dec., 1920); *L. of N. D. 23*, first page; *L. of N. A. D. 37;* World Peace Foundation, *League of Nations*, vol. III, no. 6 (Dec., 1920).

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mission further planned the work of the sub-commissions and again reported to the Council. In this document favorable attention was called to a suggestion that the United States be invited to cooperate on the commission.[1] The report was in part approved by the Council, which also decided to invite the United States to participate in the work.

Contenting ourselves with this very general sketch of the methods followed by the Permanent Advisory Commission, and reserving until later an account of its activities, let us note M. Bourgeois's comment that this committee of "very distinguished experts" was not hampered by a lack of knowledge, but rather by the policy of the governments, especially regarding an undertaking of a definite reduction.[2]

It early became apparent that the tremendous problem of reducing armed forces required study by other men besides the military, naval and air experts. The collaboration of experts in political, economic and social matters seemed desirable to the Sub-Committee on Armaments of Assembly Committee No. 6,[3] to the Assembly itself, and to the Council, which at its twelfth session[4] provided for a Temporary Mixed Commission on Disarmament. This consisted of six representatives of the Permanent Advisory Commission—from Brazil, Great Britain, Spain, France, Italy and Japan; six men "of recognized competence in political questions" from the same countries, except that Chile replaced Brazil; four members of the Provisional Economic and Financial Commission; and six delegates from the Governing Body of the International Labor Office. This greatly broadened the study of the disarmament question.

The Assembly, moreover, has not been idle. Indeed, it is hardly too much to say that this representative body, in which the smaller states have a preponderance in numbers at least, showed a greater willingness than the Council to take decisive

[1] *L. of N. O. J.*, no. 8, p. 46 *et seq.* (Nov.–Dec., 1920) and vol. II, no. 1 (Jan.–Feb., 1921).

[2] *Ibid.*, vol. II, no. 2, p. 147 (Mar.–Apr., 1921).

[3] *Report . . . to Assembly, L. of N. A. D. 199* [*223*], p. 3.

[4] *Minutes.* See also *L. of N. misc. bull., Paris Session, Feb. 1st–Mar. 4th, 1921*, p. 3 (Hoover War Collection, Stanford University).

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action in reducing armaments, which to weak powers offer little or no opportunity for aggrandizement, but are only a burden. Nevertheless the Assembly too moved cautiously, for the Permanent Advisory Commission had had little time to organize and to study the problem thoroughly, there were still wars and rumors of wars, and a general agreement was rendered even more difficult by the absence from the League of the United States, Germany and Russia.[1]

Assembly Committee No. 6 (Armaments, Blockade and Mandates), its full membership consisting of one man from each country represented in the Assembly, held eight meetings during the first meeting of the Assembly.[2] It appointed a Sub-Committee on Disarmament, which reported to the full committee. Four resolutions were proposed to the Assembly. The outcome was the submission of three resolutions and one recommendation for the consideration and action of the Council.

It is clear, then, that the League of Nations has given much earnest study to what is perhaps its most important problem, upon the solution of which the solution of many others largely depends. The number of countries and of prominent men that have been associated together in this work under the League is noteworthy. The list of men includes such publicists as Messrs. Hymans of Belgium, Da Cunha of Brazil, Wellington Koo of China, Bourgeois and Viviani of France, Robert Cecil and H. A. L. Fisher of Great Britain, Ishii of Japan, Branting of Sweden, Nansen and Lange of Norway, Orlando of Italy, Motta of Switzerland, and Paderewski of Poland. If such men enjoyed at least some backing by their own governments, it would appear that much might have been accomplished.

Nor has the consideration of the problem been confined to the direct organs of the League of Nations. The Brussels International Financial Conference, which met in 1920 under the auspices of the League, emphasized in impressive fashion what

[1] H. Holt. In *Annals*, July, 1921, p. 7. In the same issue the problem of disarmament is discussed by Sen. Walsh, Gen. Bullard and Congressmen Mondell, Hicks and Rogers. See also *World Friendship*, Mar. and June, 1921 (published by Am. Council of World Alliance for International Friendship through the Churches).

[2] See *Procès-Verbaux* of the Comm. of the First Assembly of the L. of N.

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has been called "the staggering burden of armament." The resolutions which follow have given a further impetus to the movement, whether carried on inside or outside of the League. The third resolution, adopted unanimously on the proposal of the Commission on Public Finance, reads in part:

"It is therefore imperative that every Government should, as the first social and financial reform, on which all others depend: . . .

"(a) . . .

"(b) Rigidly reduce all expenditure on armaments in so far as such reduction is compatible with the preservation of national security."

The fourth resolution is:

> The Supreme Council of the Allied Powers in its pronouncement on the 8th March declared that "Armies should everywhere be reduced to a peace footing, that armaments should be limited to the lowest possible figure compatible with national security, and that the League of Nations should be invited to consider, as soon as possible, proposals to this end." The statements presented to the Conference show that, on an average, some twenty per cent of the national expenditure is still being devoted to the maintenance of armaments and the preparations for war. The Conference desires to affirm with the utmost emphasis that the world cannot afford this expenditure. Only by a frank policy of mutual cooperation can the nations hope to regain their old prosperity; and in order to secure that result the whole resources of each country must be devoted to strictly productive purposes.
>
> The Conference accordingly recommends most earnestly to the Council of the League of Nations the desirability of conferring at once with the several Governments concerned, with a view to securing a general and agreed reduction of the crushing burden which, on their existing scale, armaments still impose on the impoverished peoples of the world, sapping their resources and imperilling their recovery from the ravages of war. The Conference hopes that the Assembly of the League which is about to meet will take energetic action to this end.[1]

What has the League actually done? Certainly not all swords

[1] *L. of N. O. J.*, no. 7, pp. 424-425 (Oct., 1920); also the official report of the International Financial Conference. An excellent discussion of the whole armament question is in World Peace Foundation, *L. of N.*, vol. IV, no. 2 (April, 1921).

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have been beaten into plowshares nor have the spears been beaten into pruning hooks. But the "actual powers of the League as to disarmament" are limited to inquiry, recommendation, and influence upon the public opinion of the world, and the sincerity of the League and of the governments composing it will largely determine the effectiveness of these powers.[1]

On the negative side, the League seems to feel that not even Articles 10, 11 and 16 of the Covenant oblige all states to maintain armed forces; for Switzerland's perpetual neutrality was recognized when she was permitted to enter the League under special conditions as to participation in military activities; and Lord Cecil of the Permanent Advisory Commission, replying to a question asked in the interest of Norway and Denmark, said, "it was never meant to put on any member of the League the burden and duty to keep up military forces."[2]

On the positive side, what has been done to lessen armaments —that moral obligation resting, by virtue of the Treaty of Versailles, upon all members of the League?

The question is far-reaching. It involves reductions in military, naval and air forces and it has its bearings on affiliated problems, such as use of poison gas, private manufacture of munitions of war, etc. It necessitates the avoidance of imprudent or premature plans; and if the limitation were not carried out effectively and simultaneously by all, there might be dangerous consequences to those nations that had fulfilled their obligations.[3] Furthermore, the attention and time of the League have been largely occupied with many problems immediately pressing and promising an easier solution than the age-long problem of disarmament.

On March 8, 1921, the Secretary-General forwarded, as instructed by the Council, the recommendation adopted by the

[1] Sweetser, of the Information Section of the Secretariat, *The League of Nations at Work*.

[2] W. P. F., *L. of N.*, vol. III, nos. 1–2, p. 29 (Feb.–Apr., 1920).

[3] M. Bourgeois, in *Procès-Verbaux* of Comm. of First Assembly, no. 4, p. 7. *Cf.* President Harding's words before Congress on April 12, 1921, "We are ready to cooperate with other nations to approximate disarmament, but merest prudence forbids that we disarm alone."

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Assembly on the 14th of the preceding December to the effect that the governments should undertake "not to exceed, for the first two financial years following the next financial year, the sum total of expenditure on the military, naval and air services provided for in the latter budget". There were two reservations, however:

(1) Any contributions of troops, war material and money recommended by the League of Nations, with a view to the fulfilment of obligations imposed by Article 16 of the Covenant or by treaties registered by the League.

(2) Exceptional conditions notified as such to the Council of the League of Nations in accordance with the spirit of paragraphs 2 and 6 of Article 8 of the Covenant.

The governments were asked to inform the Secretary-General before May 1 whether they proposed to give effect to this recommendation.[1]

Thus only the first stage, limitation of armaments, has so far seemed to the League to lie within its reach. The Sixth Committee of the Assembly, while believing in reduction and in ultimate disarmament, felt that these depended upon three conditions which had not yet been realized: the complete fulfilment of the terms imposed upon the defeated powers; the exercise of the right of search, in order to maintain that reduction; and the collaboration of the strong military powers that are still outside the League.[2] Along with this recommendation there exist the studies of the question which have been made under the League and which may be utilized when a more advanced step is taken.

Poisonous gases, so it may be thought, will hardly be used as a weapon of offense if nations are not otherwise armed for aggression. And yet, the necessity of disarmament is all the more clearly shown by the apparent impossibility of preventing the use of poison gas on a great scale when war has once broken out. Hence the importance of the Council's questionnaire on

[1] *L. of N. O. J.*, vol. II, no. 3, p. 256 *et seq.* (May, 1921).

[2] *Report of Comm. No. 6 to the Assembly, A. D. 199* [*223*], p. 4.

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this subject to the Permanent Advisory Commission. The conclusions of the Commission were: 1. The use of gases is cruel, though not more so than some other methods used in warfare, and their employment against non-combatants is "barbarous and inexcusable." 2. Prohibiting or limiting their manufacture in time of peace would not restrict their use in time of war. 3. Neither can laboratory experiments be prohibited. 4. International prohibition of the use of poison gases is "a question of international law and a problem for humanity", and not within the competence of a technical commission like itself. 5. But if the League should decide to maintain this prohibition, as previously agreed to, their use should be examined "to provide against their eventual illicit employment".[1] The Sub-Committee of Assembly Committee No. 6 likewise felt that the more immediate task of preparing the way for the reduction of armaments was "so formidable and complex that the [Permanent Advisory] Commission should not at present be invited to deal with the revision of the laws of war," involving other than military problems.[2] This was in disregard of the wish of the International Committee of the Red Cross, which had said in a letter of November 23: "It is certain that if the League of Nations supported these proposals with the weight of its authority, its decision would secure the execution of these humanitarian measures."[3]

The private manufacture of arms, a practice that has long been recognized as having many attendant evils, is so avowed by Article 8, which places upon the Council the duty of investigation. The Permanent Advisory Commission seems so far to have given little attention to the matter. The Assembly subcommittee, however, showed anxiety for a speedy inquiry, in view of the large accumulation of war stocks. The Assembly, being of a like mind, toward the close of its first meeting asked the Council to have a speedy investigation undertaken by the Permanent Advisory Commission.[4] It should be remembered

[1] *Report of the P. A. C. . . . to the Council, L. of N. D. 23*, p. 5.

[2] *Report of Comm. No. 6 to the Assembly, A. D. 199* [*223*], p. 3.

[3] *A. D. 137.*

[4] *A. D. 199* [*223*], p. 2 and *A. D. 238*, p. 2.

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in this connection that a nation's military strength depends not simply upon its stock of war materials, but also upon its economic resources.

M. Bourgeois, at the Council session on February 25, 1921,[1] said that the responsibility for the execution of the treaty clauses for the disarmament of the defeated powers lay not with the Council of the League, but wholly with the powers that signed the treaties. The League could only begin an investigation when disarmament has been carried out. Apparently the time has not yet come, under the reduction that has been enforced in large measure by the Supreme Council, for the Council of the League of Nations to see to it that Germany, while having sufficient forces for police purposes, is carrying out her obligations, so that she herself can not become militaristic and so that other nations may gradually dispense with their competitive armaments. Nevertheless the Council through its Advisory Commission is investigating the constitution and composition of the organization with which the Council is to exercise the right of investigation authorized by the various treaties.

In making its report to the Council on the military, naval and air conditions of the states which have asked to be admitted to the League of Nations, the Permanent Advisory Commission found in each case that these countries were not contemplating forces which would prove a menace to the peace of the world, and they were permitted provisionally, subject to later disarmament agreements made by the League, to keep forces which may be regarded essentially as police forces.[2]

In attempting to control the traffic in arms, "particularly to prevent the vast surplus of munitions of war . . . from passing into the disturbed regions of the world, and so creating fresh embarrassment and trouble,"[3] two obstacles presented themselves. One was the lack of statutory control over exports from the United States. Mr. Barnes said "that the

[1] *Minutes*, p. 16.

[2] See *L. of N., Report of the P. A. C. . . . to the Council* [*A. D 84*].

[3] Mr. Fisher, reporting for Comm. No. 6 to the Assembly, W. P. F., *L. of N.*, vol. IV, no. 1, p. 175 (Feb., 1921).

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United States Government and the United States people are exporting arms to such an extent as to justify that reference".[1] The other hindrance was the nearly general failure to ratify or to live up to the convention signed at St. Germain on September 10, 1919. Within certain partly-developed areas, to be sure, the attempt to regulate the traffic in arms seems to have succeeded; but the adoption of the convention did not prevent the general exportation of arms. The League, therefore, found itself confronted with the double problem of inducing the nations to ratify this international agreement and of establishing a central administrative bureau. The outcome was an attempt to persuade the governments to ratify this convention; and, in lieu of a separate bureau under the League, the Council proposed that the international bureau established at Brussels in 1890 should continue to look after the arms traffic, but under the supervision of the League. This proposal was accepted by the Belgian government on March 21, 1921.[2]

The last paragraph of Article 8 is an agreement by the members of the League of Nations to exchange "full and frank information" about their armaments. No reduction, of course, has been agreed upon as yet; but the Permanent Advisory Commission worked out an elaborate questionnaire to be used when the Council deemed conditions auspicious for requesting information from the governments.[3] On April 25, 1921, the Secretary-General sent a letter asking the members of the League for information concerning their military, naval and air budgets. The facts thus secured will be available for the consideration of the Permanent Advisory Commission and the Temporary Mixed Commission.

In deliberating upon the above topics and upon other related matters, the League has made less progress than could be desired either by its friends or by other advocates of international cooperation as a substitute for war. A few of the difficulties

[1] *Ibid.*, p. 175 *et seq.*

[2] *Monthly Summary* of L. of N., no. 1, p. 8 (April, 1921). See also a rather full discussion in *Annex* of *L. of N. A. D. 199* [*223*].

[3] See *L. of N. O. J.*, vol. II, no. 1, pp. 29-41 (Jan.-Feb., 1921).

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that have been met have already been pointed out. Some thoughtful writers, to be sure, are pessimistic as to the possibility of success by any international agreement. But the situation which confronts us is a state of affairs in which international political organization is very incomplete, while inventive genius has produced ever more efficient weapons of destruction. The resulting need for the "salvaging of civilization" from the grave perils that threaten its very existence leads the majority to adopt the more hopeful view and to seek some way out of the morass of the menace of competitive national armaments.

The discouraging features in a situation which in many respects seemed unusually auspicious were pointed out by Mr. Garvin, writing during the Peace Conference:

> No long war for the last 200 years has ever ended with a situation less favorable to the immediate reduction of armaments. It is impossible for the time to make that reduction all round to any fundamental degree; or to incorporate into a provisional Peace Treaty, in the course of the next few months, any general and drastic engagements, or at least any such engagements intended to come into early effect. . . . It would seem that any thorough international attempt to deal with armaments all round must be postponed until the League can take it in hand perhaps a year hence or later.[1]

Secretary Lange also said[2] that the questionnaire prepared for the Inter-Parliamentary Union in 1914 shows the complexity of the problem, embracing as it does technical and juridical questions, though fundamentally a political, economic and social question, and differing in its application to countries with varying conditions.

As both Messrs. Fock of Holland and Bourgeois of France said, no nation can be expected to disarm unless others do so and unless there is investigation and control. While Germany could hardly be regarded as any longer a great military and naval menace, it is not yet a member of the League, and adequate means of investigation do not exist to see that she re-

[1] *Economic Foundations of Peace*, p. 465.

[2] *Procès-Verbaux* of Committees of First Assembly, no. 2, pp. 11–12.

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mains disarmed. The great Colossus of the North is still an uncertain factor under the Bolshevist régime. Conditions in the smaller states bordering Russia and in the southeast remain unsettled.

But probably the greatest difficulty in the way of the disarmament program was the absence from the League of the United States. Our huge naval building schedule and our recent abstention in large measure from international affairs, caused some of our intellectual leaders to fear lest we should take the place formerly occupied by Germany as the most militaristic nation. A well-known writer on international law remarked early in 1921 that the "Assembly has at least made a hopeful beginning . . . but can hardly be expected to make much headway as long as the United States holds to its present intransigeant attitude."[1] It has been assumed that Count Ishii had the United States in mind when he said that he felt obliged to abstain from voting on the proposition of disarmament by three stages, since one of the preliminary conditions had not been attained—the collaboration of great military powers outside the League. The very strong longing for the cooperation of the United States is shown by the tone of the following invitation:

The Council of the League of Nations, acting on a unanimous recommendation of the Permanent Advisory Military, Naval and Air Commission of the League, passed at its Meeting in Geneva on 25th November, invites the Government of the United States to name representatives to sit on that Commission in a consultative capacity, during the study by the Commission of the question of the reduction of armaments, a study which the Council has requested the Commission to undertake forthwith.

The Permanent Advisory Commission was constituted by the Council of the League at its Meeting in Rome last May, and held its first session in San Sebastian in August. The Commission is at present composed of military, naval and aerial officers of States represented on the Council of the League. Its decisions are purely advisory and not in any sense binding, but they represent the common technical judgment of the experts of many countries.

[1] Prof. Hershey, "The United States—the Main Obstacle to the World's Peace." *Independent*, vol. CV, p. 184 (Feb. 19, 1921).

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It would of course be perfectly understood that the presence of the representatives of the United States would in no way commit the American Government to whatever opinions may be finally put forward in the Report of the Commission, nor, indeed, can that Report itself be more than a basis for the consideration by the Members of the League of the measures of reduction in armaments which united action may enable them to achieve. Nevertheless, as in the case of the Financial Conference at Brussels, the presence of an American Representative whose function was only that of giving and receiving information was an important factor in the success of the work of the Conference, so it cannot be doubted that the general consideration of the subject of the reduction of armaments will be greatly facilitated if the Government of the United States can see its way to be represented in a similar manner at the meetings of the Permanent Advisory Commission.

The problem is one to which public opinion in all countries attaches the highest importance.

It is unnecessary to point out that the reduction of armaments is essential for the well-being of the world, and that unless some measure of relief can be found by international cooperation for the excessive taxation due to armaments, the general economic situation must become increasingly worse.

The Council, in extending this invitation, cannot but hope that the Government of the United States, particularly in view of the attitude of America towards the question of the competition in armaments, will not refuse to associate itself with the Governments of the Members of the League in beginning the preliminary work necessary for ultimate success, and to lend to the present effort an assistance which can in no way encroach upon its own perfect liberty of action.[1]

President Wilson's note of refusal of December 8, 1920, said that in spite of his sympathies with the task, "as the Government of the United States is not a member of the League, he does not feel justified in appointing a commission to take even a de facto participation in the deliberations."[2] The new Administration has shown no inclination, either in the person of the President or of Ambassador Harvey, to participate in the

[1] *L. of N. O. J.*, no. 8, pp. 50–51 (Nov.–Dec., 1920); also in *Journal* of Assembly, p. 130.

[2] Quoted by C. G. Fenwick, *Am. Polit. Science Rev.*, vol. XV, no. 1, p. 101 (Feb., 1921).

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League of Nations; and the conference in the calling of which President Harding took the initiative is of course outside the League, though all the powers which President Harding invited have already been working on the problem within the League.

How shall we estimate the disarmament activities of the League of Nations? Shall we cynically challenge the good faith and sincerity of the League? Or shall we assume that the large amount of attention that the subject has received from the League and the standing of the statesmen who have been engaged in the work are a sufficient guarantee that the League has made a reasonable attempt to do what it could? Shall we assert, because the problem has not been solved, that no progress has been made toward its solution? Or shall we say that any agitation helps and that the work which the League has done to stabilize conditions and prevent war has brought the realization of disarmament that much closer? If the disarmament conference succeeds in as large measure as we hope it will, shall we take that as a proof of the impotence and failure of the League? Or may we assume that success was made easier by the work already done within the League of Nations, and that when the League was striving to make the world safe for democracy, the greatest of democracies was obliged in common decency to lend that assistance without which the whole disarmament movement must almost inevitably fail?

II

Some four months later,[1] on the day before the birthday of the Prince of Peace, "the hopes and fears of all the years" that at last a way will be found to disarm in a measure the pagan god of war, are once again met, this time under the leadership of the American government and people. As the League of Nations' activities are re-examined in the light of the Washington Conference, how do they appear by way of comparison and contrast? What is the connection between Geneva and Washington? That is, to what extent has the

[1] This article was completed on December 24, 1921, while the Washington Conference was still in session.

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League's attempt to limit, to reduce, and ultimately to abolish competitive national armaments, affected the deliberations at Washington? And in its turn, does the Washington Conference, so far as one can judge in the very midst of the event, tend to supplement or to replace the League of Nations as an agency for the promotion of peace through the international control of armaments?

"The spirit that impelled the calling and directs the work of the Conference was aroused by the League of Nations and animates the League of Nations."[1] Both agencies have worked sincerely in the attempt to solve the problem of armaments. Few will question the sincerity of the Washington Conference, of whose delegates Messrs. Balfour, Viviani, Schanzer, Koo, Wang and Karnebeek have either been leaders in the League or in one of its central features, its disarmament activities. But both have felt the need of moving cautiously. The League has essayed the first step—limitation. The Washington Conference will apparently confine limitation and reduction chiefly to capital ships; and neither President Harding's invitation nor Secretary Hughes's proposals nor the actual developments within the Conference contemplate disarmament.

In both instances the general principle was established that vast armaments are an evil—if necessary to be made unnecessary as rapidly as possible. In the case of the League, the fifty-one members have accepted the disarmament pledge in the Covenant. The decision to come to Washington, and the acceptance "in principle" of the American plan submitted on November 12, prepared the way for the application of the principle in its practical bearings and in its details, much as the organs of the League have done. While working for relief from the "crushing burden" of armaments, to use the words of Chairman Hughes and of the League's International Financial Conference at Brussels, there has been the attempt to remove other causes of war, with the emphasis upon Far Eastern questions or upon the disorders of Europe and the setting-up of machinery to lessen the danger of conflict. The arms issue

[1] *Louisville Courier-Journal*, quoted in *Literary Digest*, Dec. 10, 1921, p. 5.

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is complicated by other problems, so that the League's program halts until international relationships become more stable, and the final decree of the 5-5-3 ratio awaits the announcement of other settlements. The disorganization of China complicates Far Eastern problems, and makes it difficult for the nations of the Pacific to lay down their arms. The League of Nations marks time while it watches with sympathetic interest the Washington Conference and hopes that the United States will even yet consent to participate in its prior, but not competitive disarmament activities.

There is far more publicity at Washington and at Geneva than there was under the old diplomacy; but the committee system, by which important agreements are largely worked out in the quiet and seclusion of the committee room, was found as necessary at Washington as at Geneva. The Council of the League found that the military, naval and air experts of the Permanent Advisory Commission needed the viewpoint of political, social and economic experts. The delegations at Washington had their large mixed groups of advisers from the start.

The real decisions at Washington, however, have been made at the plenary sessions. Here the five Principal Allied and Associated Powers of the late war have made agreements, which probably will be submitted to other governments, both great and small. In the League the findings of its committees are ratified or rejected by the Council, which is dominated by the four countries that were invited to discuss armaments at Washington, and by the Assembly.

Thus action in the form of recommendations or agreements depends upon investigation. This comes first at Geneva, while at Washington a concrete plan, exploded like a bombshell at the opening session, precedes investigation and discussion, which eventuate, after inevitable compromise, in formal agreements to be submitted to the home governments.

Difficulties, which in all former attempts have prevented effectual disarmament, bristled in the path of the League and of the Washington Conference as well. At the latter Japan's desire for the 10-10-7 ratio long held up the naval agreement, and France's apprehensions regarding Germany and Russia

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kept her from consenting to reduction on land, despite the report by the French president of the Inter-allied Commission that Germany has disarmed in accordance with the Treaty of Versailles. France too hesitates to acknowledge herself a minor naval power, while only England would abolish the lawless submarine; the other four powers would increase under-sea forces while curbing inhumane practices. So far as the League is concerned, the members on the whole favor the Assembly recommendation that the naval budget for the current fiscal year should not be exceeded during the two ensuing years; but the doubts and reservations of some show that they too emphasize most that "moral disarmament" of which they discern too little. The League has just begun its colossal task of securing ultimate disarmament except for police purposes. The same is true of the Washington Conference, which will probably leave for further study such questions as aircraft, poison gas, and rules of warfare, not to mention such affiliated problems as those of China.

Comparisons, however, are always less striking than contrasts. At Washington the United States, playing well the part of gracious host, forceful chairman, and bold initiator of a definite, concrete plan for the scrapping of certain capital ships, takes the leading rôle. From the League's work the United States, in a dominating position since the war, has been conspicuously absent; and, as the country pursuing the most ambitious program of naval expansion, it was one of the major obstacles in the League's efforts towards disarmament.

There is now less evidence of the old diplomacy that has blocked many of the League's well-meant efforts and that has led many to look upon the League of Nations mainly as an instrument for the enforcement of the Versailles provisions, although the latter in theory and in fact have been much more the concern of the Supreme Council. The intoxication of success of the days immediately following the Armistice has passed, and by November 12 the governments, distinguished military leaders, and the suffering peoples craved relief from the burden and the danger of armaments. The economic argument for disarmament has become ever more powerful as

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the nations have drifted toward bankruptcy. Germany is generally looked upon as having been disarmed in accordance with the Treaty of Versailles, Russia is no longer regarded so fearfully, now that the world thinks Bolshevism crumbling in economic disintegration.

The curtain, then, rose at Washington with the peoples and their governments looking on with determination and a buoyant optimism. The League, on the other hand, began its armament studies and deliberations with the civilized world engrossed in the desperate struggle to emerge out of the wreckage of war, or absorbed in the exigencies of party politics. Moreover, the setting-up of the League machinery diverted attention from the League's functioning.

In scope and methods there has been a contrast. The League was conceived with the idea of helping to establish a new world order, and its work has been enormously varied and complicated and difficult. The Washington Conference has had a more modest program and its results will doubtless be in some respects more definite, although its discussions have given renewed evidence of the extraordinary difficulty of adjusting international relationships on the basis of peace and good will. The League's armament activities have been world-wide in their bearing, though with some special emphasis upon Europe, and the whole field of armaments has come within its purview. The diplomats at Washington have looked more towards the Far East, though necessarily they have had regard to European and to world-wide implications. Military, naval and air budgets, taken as a basis by the League, do not seem a satisfactory starting point to France; and the head of the American delegation proposes capital ships as the proper basis. Great Britain replies to a definite proposal by halting capital ship construction until the close of the Conference shall bring ratification of its agreements and action in fulfilment of their provisions. And yet the League's work has not been futile; for, aside from the more definite undertakings which may presently eventuate, its discussions and their influence upon those of its leaders who are at Washington have helped along the whole movement. Such would seem to be in part the significance of the recent

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award of the Nobel peace prize to Messrs. Branting and Lange.

As to the extent to which the League of Nations has influenced the Washington Conference opinions will differ, and no accurate measurement can be made. Naturally the present Administration in the United States would hardly give credit to the League, and so Mr. Hughes's omission, in his statesmanlike opening address, of all mention of the League's disarmament activities is not surprising, even though he reviewed at some length the less significant attempts of the Hague Conferences. Nevertheless, both he and Messrs. Underwood and Root, all of whom favored the League, could hardly have failed to note the League's deliberations on the armaments question. Indeed, Mr. Root once said of the Covenant provisions on armament: "The success of these provisions is vital. If they are not effective, the whole effort to secure future peace goes for nothing. There must be a permanent commission to inspect the carrying out of disarmament."[1]

Before Secretary Hughes sat delegates from countries all of which are members of the League of Nations. Of their number those who presumably have been most influenced by the League's discussion of the arms question are those who have been leading participants. Among them M. Viviani, who was president of the Permanent Mixed Commission on disarmament, is reported to have said that the League's work would be of great use at Washington.[2] The League has certainly shown a generous attitude of sympathy and of willingness to cooperate with the Washington Conference; and the supporters and well-wishers of the League have been among the strongest supporters of what is sometimes conceived of as a rival conference.

There can be no reasonable doubt that whatever success the Washington Conference has in limiting and reducing armaments will be due in some measure to the more extensive but less intensive labors of the League of Nations. Will the Washington Conference supplant or supplement the League of Nations disarmament activities?

[1] Quoted by A. Ten Eyck in *Outlook*, Nov. 16, 1921, p. 430.

[2] *Literary Digest*, Nov. 12, 1921.

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Sir Eric Drummond, the Secretary-General and probably the most influential man in the League organization, says: "It is clear the Conference cannot and must not be regarded by the League's supporters as a rival."[1]

But the main interest in this connection lies in the four-power Pacific treaty, in future conferences to continue the work begun at Washington, and in the "Association of Nations."

The quadruple agreement, by lessening the danger of war, helps to make reduction possible in the Pacific area. Despite official denials, many see in Article 2, as in Article 10 of the Covenant, an implied use of force such as is expressly contemplated in Article 16 of the Treaty of Versailles. At any rate, here is a sanction which, though weaker, resembles the sanctions contained within the constitution of the League; both are designed to obviate the use of force by nations. The Washington Conference, however, does not look to anything guaranteeing France against an attack on land. The League of Nations plans for such guarantees and may in the future be able to give effective ones.

There have been many prophecies that out of the Washington Conference will come future conferences of some sort, to continue the work there begun. Or there may be an "Association of Nations," which President Harding evidently thinks will not rival the League. Whatever may be the actual outcome, such an organization would be doing the work for which the League was designed; and it apparently would be, in form at least, an attenuated league of nations and in some particulars a shadowy likeness of the existing League. In other respects it would not resemble the League, whose functions might not be interfered with and whose work for disarmament might be helped. It may be that Senator Schanzer had the League of Nations in mind when he said on December 23 that the Italian delegation felt that the problem should "be examined substantially in a wider conference before any action toward abolishment of underwater craft could be undertaken". It may be that the logical thing for the United States government to do will be to re-

[1] *Christian Science Monitor*, Dec. 13, 1921.

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verse its decision on the League; for the League has the organization for a complete and continuing discussion of armaments, and it already includes nearly all the powers, whose consent seems essential on submarine agreements and desirable on all others respecting armaments.

Whatever may result, the United States has already abandoned somewhat her policy of isolation. Whether this will lead her into periodic conferences or some "association of nations" or the present League of Nations, perhaps modified to suit the American taste, only the future can tell.

All agitation for disarmament, when accompanied by a determination and an effort to bring about the more fundamental "moral disarmament," will help to bring about the outlawing of war. In one way, various agencies will supplement and assist each other. But there is danger of a dissipation of force in a multiplicity of agencies and organizations. The splendid enthusiasm to get rid of the intolerable burden and the menacing danger of vast armaments has risen higher and spread farther, and it rests upon a more democratic basis, than ever before. This enthusiasm must be harnessed, capitalized—regardless of means or agency—to help save civilization from the impending peril of a fatal war.

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THE POLITICAL THEORY OF SYNDICALISM

Philosophic Basis of Syndicalism

THE past century has witnessed severe criticism of monistic thought in almost every field of human inquiry. In biology the theory of the origin of species by natural selection has been attacked by the advocates of the mutation hypothesis, notably de Vries. In economics the "dismal" tenets of the Classical Economists have been subjected to unmitigated attacks, some of which are distinctly pluralistic, e. g., those of the Austrian Subjective school. In religion both the rapid growth of agnosticism and the extension of religious activity into social and economic fields show the pluralistic tendency. In philosophy the reaction against monism has culminated in the development of the pragmatic method.

The tardiness with which this movement developed in political science may in a measure account for the great diversity of its points of view. The central point of attack of one group, represented by Duguit and Laski, has been the Austinian theory of sovereignty. The Guild Socialists have put forth a dualistic interpretation of the state which includes the economic as well as the political activity of society. In the soviet system in Russia, on the other hand, we find pluralism practically applied so as to include, in theory at least, nominal local autonomy. From one point of view syndicalism presents a combination of these various tendencies. Both theory and practice are represented in the syndicalist system, because of the philosophic grasp of certain of its leaders on the one hand, and because of the nature of French trade-union organization on the other. The movement has produced a scorching criticism of the current conceptions of state authority and organization, together with an insistence on the importance of economic groups in state life; and one has only to look to the *Confédération Générale du Travail* to find the federalist principle in operation. One may accordingly expect to find much in common between syndical-

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ism and other pluralistic movements, even though at many points they are not in complete agreement.

The core of the philosophy of the syndicalists seems to be an insistence upon the desirability of continuous, voluntary action in all spheres of human endeavor. The necessity of motion and the idea of ceaseless change or flux goes back as far as Heracleitus and has persisted in one form or another ever since. With this conception as a bond of union, the syndicalist philosophers have been able to concoct in the crucible of French labor conditions[1] an ingenious mixture of the ideas of Bergson, Nietzsche, Kropotkin, and Karl Marx.[2] The result has been that the demand for freedom, both in the means and the end of human activity, has been characteristic of all syndicalistic writers, whether Sorel writing on ethics,[3] Berth writing on economics,[4] or Louis writing on politics.[5]

Speculation regarding the nature of the ultimate good is carefully avoided by all the writers in this movement, although occasionally some reference to the necessity of individual development shows the difficulty of ignoring this fundamental question.[6] In general, the pragmatic test for goodness is accepted

[1] The influence of French conditions and temperament has been thus described: "The leading British Trade Unions were too reflective, too cautious, too anxious for self improvement and economic inquiry to stake their fortunes on a single throw of the dice. The French workman, on the contrary, is far less deeply read in economics than are the élite of the British labour leaders. He is inspired by the leaders of the Revolution rather than by the pundits of Socialism. In some cases he will run before he leaps. He is full of grand projects of internationalism and anti-military propaganda rather than with nationalization of industries, or with the municipalization of gas and water."—J. H. Harley, *Syndicalism* (London, 1912), p. 30.

[2] The debt of syndicalism to Marx and Bergson is frankly admitted by the foremost writer in the group, Georges Sorel, in *L'Avenir socialiste des syndicats* (Paris, 1908). The influence of Kropotkin and Nietzsche is not generally admitted by the syndicalists, but it is none the less a very important element in the composition of their system.—Robert Hunter, *Violence and the Labor Movement* (New York, 1919), pp. 185, 229–230; Louis Levine, *The Labor Movement in France* (New York, 1912), p. 146; Georges Guy Grand, *La Philosophie syndicaliste* (Paris, 1911), pp. 71–75.

[3] Georges Sorel, *Reflections on Violence* (Trans. by T. E. Hulme, New York, 1912).

[4] Edmund Berth, *Les nouveaux aspects du socialisme* (Paris, 1908).

[5] Paul Louis, *Le Syndicalisme contre l'État* (Paris, 1910).

[6] Sorel, *Reflections on Violence*, p. 65.

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and the attempts of philosophers to generalize regarding its nature are discountenanced.[1] On the other hand, there is abundant discussion of the means by which ethical development may be obtained, voluntary individual action being considered the most satisfactory. Since progress can come only as the result of self-help, reason the syndicalists, all improvement of the working class must result from a spontaneous movement within the working class itself.[2] Proletarian violence is therefore the most important means by which the workers can improve themselves, because it not only strikes fear to the hearts of the enemies of labor, and not only serves to solidify the workers, but it is also something the workers themselves can effectively use. The chief implement of this violence is the general strike, which is considered as having the moral value of developing both enthusiasm and individual initiative.[3] Furthermore, the syndicalists say, it makes but little difference if the conception of the general strike is only a "myth," for it will serve its purpose of uniting and solidifying the workers by the ideal which it presents regardless of whether it ever actually occurs.[4] The anti-Socratic nature of this philosophy thus becomes apparent. Because knowledge is always a false ethical guide, it is much better to put reliance on intuition, sentiment, enthusiasm, passion, or even religious fervor, than on human wisdom.[5] Likewise, inasmuch as enthusiasm can be more easily created for a general ideal than for a detailed plan of social reconstruction, there is an almost universal tendency to criticize the present political and economic system in a destructive manner, with but little or no attempt to construct a superior social organization.

[1] Sorel, *Reflections on Violence*, pp. 240–251.

[2] *Ibid.*, p. 151.

[3] *Ibid.*, p. 143.

[4] The doctrine of the "myth" as a means of moral improvement is elaborated by Sorel.—*Ibid.*, pp. 129–139. See also A. D. Lewis, *Syndicalism and the General Strike* (Boston, 1912).

[5] In this regard it is noteworthy that the syndicalist system calls for a complete reorganization of education along entirely practical and technical lines to the exclusion of the theoretical and classical studies—Émile Patuad and Émile Pouget, *Syndicalism and the Cooperative Commonwealth* (trans. by Charlotte and Frederick Charles, Oxford, 1913), pp. 179–184.

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Economic Theory of the State

The state originated, say the syndicalists, solely as the result of economic factors. When one group became economically stronger than another group, it organized a government to protect its economic interests. Thus when economic life evolved, the governmental machinery had to change to meet the new conditions, and when economic power shifts from one group in the state to another, political power of necessity shifts with it.[1] The state is looked upon, then, as not only having its origin in economic oppression, but as also being perpetuated in order that the capitalist system may be buttressed by the machinery of government. The primary functions of the state are therefore summarized as the protection of property and the preservation of either aristocratic or economic class distinctions. The conduct of both foreign relations and war is aimed at the protection of the economic interests of the state. Consequently the syndicalists refuse to support the army and navy and have even gone so far as to threaten a general strike in case war is declared. If that will not prevent hostilities, a general mutiny has been prophesied.[2] This portion of their doctrine was held in abeyance during the World War, partly because the reformist wing of the *Confédération Générale du Travail* had gained control of the movement, and partly because of the nature of the war's causes and the way in which it came about.[3] Since the signing of the Treaty of Versailles there have been evi-

[1] Sorel, *Reflections on Violence*, p. 200.

[2] Victor Griffuelhes, *L'Action syndicaliste* (Paris, 1908). The reason that war is opposed, however, is not because it is essentially wrong, but rather because it is a means of strengthening the government and increasing the power of the middle class. —Sorel, *Reflections on Violence*, pp. 52–60.

[3] Several observers have noted the fact that the conservative wing of the movement was gradually gaining control. Ernest Dimnet, "Syndicalism and its Philosophy", *Atlantic Monthly*, Jan., 1913; E. C. Fairchild, "Syndicalism", *English Review*, Oct., 1919. During the war the General Secretary of the C. G. T. served on the government committee of relief, and after the armistice he represented French labor officially at the Peace Conference at Paris. Raymond Leslie Buell, *Contemporary French Politics* (New York, 1920), pp. 239–240. One of the demands of the syndicalists was that boundaries be determined on an economic, rather than a racial or political, basis. Paul Louis, in "Une Europe Nouvelle", *L'Europe Nouvelle* (Paris, 1915).

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dences, however, that the radical element is again recovering its position. Consequently the peace program of syndicalism may be pushed to the front.[1]

But the syndicalists are not only opposed to war; they also protest against standing armies and navies, which they look upon as causing war directly by fostering a narrow patriotism and indirectly by aiding in the imperialistic designs of the capitalistic régime.[2] Moreover, the army is especially to be opposed because the soldiers are often called in as strike breakers, and in this way the capitalist government is enabled to prevent the workers attaining better working conditions.[3] Universal military training is likewise opposed because the government may call the workers to the colors in case of a threatened general strike, thus putting them under military discipline and making much harder the organization of an effective strike.

The work of the government within the country also demonstrates to the syndicalist its essentially economic function. It is pointed out that economic classes have been fostered and their wealth and privilege protected by the state.[4] Since government is organized to preserve economic inequality, it can do only those things which tend toward that end.[5] The reason why so little social legislation has proved really effective is that a bourgeois state is inherently incapable of protecting any but its own interests. If the reforms seem to be of real benefit to the working class, it is only because they are sops thrown to the proletariat to prevent it from asking more. Even these re-

[1] Among the causes for the swing toward the left since the war was the prevention by the government of the May Day parade of 1919, and the judicial action taken by M. Millerand to dissolve the C. G. T. Sidney Huddleston, "French Politics Today", *New Europe*, Aug. 5, 1920. That the control of the movement has actually passed into radical hands is evidenced by the fact that M. Jouhaux, its General Secretary, has been forced to resign his governmental position and that certain radicals who favor the general strike, e. g., MM. Sirolle and Monnousseau, have come into power. Buell, *Contemporary French Politics*, pp. 239–257.

[2] Paul Louis, *Syndicalisme contre l'État*, pp. 93–101.

[3] They point to the fact that both French and German armies guarded the steel works at Longwy during the strike in 1905. Harley, *op. cit.*, p. 39.

[4] Patuad and Pouget, *op. cit.*, pp. 50–54.

[5] Louis, *Syndicalisme contre l'État*, pp. 58–73.

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forms, it is pointed out, are frequently rendered practically useless by the difficulties of administration. The number of civil servants, already very large in France, would have to be increased if any considerable scheme of social amelioration were to be undertaken.[1] It is urged, furthermore, that much legislation, e. g., that regarding factory conditions, can best be enforced by the workers, because they are in the best position to know the conditions.[2] It is evident that laws of this nature will not be enforced by the workers unless they demand them, and the best evidence of such a demand is a struggle on the part of those affected to obtain them. The attempts to replace this violence by parliamentarism, maintains Sorel, have resulted in a degeneration of the middle class,[3] and the paternalistic attempts at social legislation in recent years, except in so far as they have been forced upon the government by the workers themselves, will prove both ineffective and enervating to the proletariat.[4] By a similar method of reasoning it is contended that even the courts and machinery of justice are purposed and maintained largely to secure the capitalist in his exploitation, and the slight benefit which may rebound to the workers from them is only incidental.[5] The function of the present political organization, in all of its activities, is regarded, therefore, as

[1] Louis, *Syndicalisme contre l'État*, pp. 78–83.

[2] Sorel, *L'Avenir socialiste des syndicats*, p. 50.

[3] Sorel, *Reflections on Violence*, pp. 82–87.

[4] Laws which are passed as the result of insistent demand on the part of the workers voiced "directly" in May Day demonstrations etc., are of course merely the codification of the will of the proletariat and henee an exception to the rule.—Sorel, *L'Avenir socialiste des syndicats*, p. 60. "Direct action" as a means of securing indirectly what is usually done directly by means of the ballot seems to be on the ascendant.—Raymond Leslie Buell, "Political and Social Reconstruction in France", *American Political Science Review*, Feb., 1921. Twenty-seven groups of topics for consideration at the Congress of Lyons, 1919, were submitted by the national headquarters of the C. G. T. with the request that the syndicates choose four. The groups included "pensions, accident compensation, and foreign labor." The topics chosen show clearly the interest the movement has in legislation in spite of its philosophy. James W. Sullivan, "Varying Forms of Labor Organization, Methods and Purposes in the United States, Great Britain and France". *The Labor Situation in Great Britain ana France* (Report of the Committee on Foreign Inquiry of the National Civic Federation, New York, 1919), pp. 222–225.

[5] Sorel, *Reflections on Violence*, pp. 111–112.

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being to perpetuate itself, preserve class distinctions, and permit the legal exploitation of the workers.

Holding this view of the origin and functions of the state, it is quite natural that the syndicalists should contend that the source of all political authority is economic power.[1] Popular sovereignty is an impossibility in a state in which the proletariat is not in complete control of the economic power.[2] Rousseau's conception of the "general will" is called a "fiction," something that has never existed in reality,[3] and majority rule in fact does not exist in the present state system. But even if the control were exercised by the majority, the syndicalist would not, because of that fact, admit its worth. Majority rule is regarded as inert, clumsy, conservative, and hence invariably an obstacle to progress. In order that there may be real development it is necessary that a minority assume a conscious leadership, and by expressing the inarticulate will of the majority, lead them into the improved social order.[4] But the bourgeois state has failed to produce a leadership capable of leading the country along the path which the syndicalist considers progressive. It is concluded, therefore, that the control of the state, and with it the guidance of society, should now pass from the minority of the upper class to the minority of the proletariat.[5]

The Bourgeois Governmental Machine

The anarchist influence on the syndicalist movement appears nowhere more clearly than in the opposition of the syndicalists to all existing forms of government.[6] Monarchical, repre-

[1] Louis, *Syndicalisme contre l'État*, p. 31.

[2] *Ibid.*, pp. 37–41.

[3] Sorel, *L'Avenir socialiste des syndicats*, p. 45.

[4] *Ibid.*, pp. 7–17.

[5] Sorel, *Reflections on Violence*, pp. 74–100.

[6] Some of the leaders of syndicalism have been avowed anarchists, e. g., Émile Pouget, Fernand Pelloutier, and Paul Delesalle. Pouget was editor of the anarchist paper *Père Peinard*. J. A. Estey, *Revolutionary Syndicalism* (London, 1913), p. 127. But it should be remembered that both in nature and aims syndicalism is quite different from anarchism. Berth, *Les nouveaux aspects du socialisme*, pp. 35–49; Estey, *op. cit.*, pp. 127–131.

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sentative, and even directly democratic, states are all classed together as inherently vicious because each one represents the principle of economic oppression. The attacks of the syndicalists, however, are directed principally against the democratic and representative forms and little is said concerning monarchies.[1] The slowness of representative bodies in arriving at decisions, due to the lengthy debates, the paternalism of the makeshift laws passed with the ostensible purpose of aiding the workers but really in order to strengthen the government, the log-rolling, wire-pulling, and compromise, the weakness of the government in dealing with foreign and domestic crises, are all elaborated as evidences of the incapacity and viciousness of representative governments.[2] Laws, to be of value, must come from the people,[3] but under the representative system the syndicalist sees them coming from the halls of the politicians where invariably even the representatives of the workers are corrupted.[4] Consequently it is argued that the parliamentarians, with little or no scientific foundation for their work,[5] sap the initiative of the people by laws, destroy the aggressiveness of the workers by paternalism, and warp the enthusiasm of the nation by militarism.[6]

[1] This is probably to be accounted for by the fact that it is the democratic form of government that at present has the hold on the French people and so to attack the monarchy would be merely a useless waste of energy. However, it should be noted that certain prominent syndicalists are also affiliated with the monarchical cause in one form or another. Sorel promised to become a co-editor of the monarchist paper, *La Cité Francaise*, but the paper was never published. Levine, *Labor Movement in France*, p. 152.

[2] Patuad and Pouget, *Syndicalism and the Cooperative Commonwealth*, p 85; Sorel, *Reflections on Violence*, pp. 67–83.

[3] Louis, *Syndicalisme contre l'État*, p. 42.

[4] *Ibid.*, p. 52.

[5] Sorel, *Reflections on Violence*, p. 162.

[6] Sorel uses no mincing terms in denouncing representative government. *Ibia.*, pp. 67–73. If anything, Louis, *Syndicalisme contre l'État*, pp. 42–54, is more bitter in his criticism even though he recognizes that the nineteenth century with its many conflicting groups required such a government, which by compromise could reconcile the interests involved. *Ibid.*, pp. 46–8. Nevertheless, with the growth of class consciousness among the workers and the formation of but two economic groups, capital and labor, representative government must go. *Ibid.*, p. 57. See also Hubert Lagardelle, *Le Socialisme ouvrier* (Paris, 1911), pp. 315–322.

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Furthermore, the mere development of democratic forms of government does not convince the syndicalist that the existing state may be used in the new world order. It is contended that merely to extend the suffrage will not give the people more power, because economic power invariably controls the voters, and unless these control the capital of the country they will not be free to use their votes.[1] Indeed, capitalistic society extends the suffrage only when it is sure that it will be able to retain its position in spite of the votes of the workers.[2] In order better to control the newly enfranchised electors, politicians, representing the wealth of the country, persuade the people to submit to their rule.[3] Thus it happens that a democratic state inevitably degenerates into an ochlocracy governed by demagogues in which high-sounding phrases replace ideas, formulas rather than reasons control, and dogmas supersede observations.[4] By this reasoning the syndicalist comes to the conclusion that the modern state, however organized, can only be an obstruction to the realization of his ideal. The defect is fundamental, it is contended, for it is impossible to reconcile a state built on force and obedience, in which the initiative comes from politicians, rulers and demagogues, with a philosophy demanding a minimum of restraint and the initiation of all movements for social improvement by the workers themselves.[5]

The objective of syndicalism is the ultimate destruction of the existing state. Gradual disintegration of the government is inevitable. Its inherent defects will cause a series of violent explosions, each of which will tend to weaken its power.[6] But

[1] Louis, *Syndicalisme contre l'État*, pp. 39–41.

[2] The demand for woman suffrage is characterized as a "childish hobby" and it is contended the vote will not free women until they have economic freedom as well. Patuad and Pouget, *op. cit.*, p. 229.

[3] Sorel, *L'Avenir socialiste des syndicats*, pp. 18–24.

[4] Sorel, *Les Illusions du progrès* (Paris, 1911), p. 10.

[5] Patuad and Pouget, *op. cit.*, p. 94.

[6] The syndicalist position in this regard may be contrasted with that of Spencer, for instead of anticipating a gradual diminution of state usefulness—W. A. Dunning, *Political Theories from Rousseau to Spencer* (New York, 1920), pp. 400–402—syndicalism looks for a forceful weakening of its power.

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however desirable these preliminary outbursts may be, in that they give the worker the moral benefit of the effort of resistance, the syndicalist cannot be satisfied until the state is destroyed "root and branch".[1] The means by which this destruction is to be accomplished is "direct action".[2] Ultimately there will be a general strike of all workers, and by the simple act of refusing to work, it is expected that they will be able to force the capitalist state to capitulate and to turn over the entire control of the country's affairs to the trade unions. The workers must be prepared for this final blow; hence intermittent strikes, partial strikes, and May Day demonstrations are staged, and sabotage is practised.[3] These methods form the tactics of the running skirmish of the class war and serve to discipline and train the workers for the final blow. As class consciousness grows, they are expected to increase both in frequency and violence, until eventually the stage will be set for the catastrophic general strike which will usher in the new era.[4]

The Ideal Political Organization

The aftermath of the revolution and the details of the future social organization are two subjects which have received but little consideration by the exponents of syndicalism. Some writers, indeed, deliberately omit any formal statement of the future political organization, and Sorel even goes as far as to condemn attempts at such a description.[5] Incidentally, how-

[1] "The general strike must be taken as a whole and undivided, and the passage from Capitalism to Socialism conceived as a catastrophe, the development of which baffles description." Sorel, *Reflections on Violence*, p. 164. However, merely because it is sudden and violent one must not presume that it is to be necessarily bloody. Sorel contrasts it with the French revolution in this respect. *Ibid.*, p. 105.

[2] "Direct action" in all its forms is explained and defended in an exceedingly able manner by André Tridon, *The New Unionism* (New York, 1914).

[3] Estey, *op. cit.*, pp. 79–100.

[4] For an interesting and dramatic description of the details of the revolution see the somewhat fantastic but exceedingly vivid account in Patuad and Pouget, *op. cit.*, pp. 1–102. J. Ramsay Macdonald has pointed out how impossible it would be to bring about a successful revolution by means of a general strike, in his *Syndicalism* (Chicago, 1913).

[5] Sorel, *Reflections on Violence*, pp. 151, 164.

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ever, much may be gleaned relative to the syndicalist ideal from the general writings on the present governmental system and the polemics against a centralized representative body politic. In some quarters there has been a definite effort to consider the question of the future social order,[1] and at least one syndicalist Utopia has been written.[2]

The mere successful overthrowing of the government is not to be thought of as paving the way for a period of inertia. The syndicalist ideal of continuous action is to be carried out more completely than ever in the epoch which will follow the revolution. This action will be directed, however, toward increased production and the more efficient organization of the economic life of the country.[3] In order to secure the individuality of effort which is their goal, the syndicalists propose to establish only the very loosest form of confederal state. In its main aspects it is to be based on the present organization of the *Confédération Générale du Travail.*

The syndicate will be the cell of the new social organism. The local workers in a trade, organized into this unit, will have complete control over matters regarding that trade, but all capital used by the workers will be owned in common by all the syndicates.[4] These syndicates are to be grouped into national federations along trade lines, although the federations are to be insignificant as governing bodies, their relations with the local syndicate being technical rather than political. By collecting information on production in their respective trades, they will promote an increased efficiency.[5]

The lowest unit of a strictly governing nature, and the only body in which any considerable amount of power is to be definitely lodged, is the local labor exchange. This body is to be

[1] This matter was considered at the Congress of Montpellier, 1902. See the accounts of the proceedings of this body as published in the official organ of syndicalism, *Voix du Peuple*, during the latter part of September and the first part of October, 1902.

[2] Patuad and Pouget, *op. cit.*

[3] *Ibid.*, p. 123.

[4] Levine, *op. cit.*, p. 129.

[5] Patuad and Pouget, *op. cit.*, pp. 122–127.

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both an organ for the collection and distribution of information and the chief administrative body in the new government.[1] All the syndicates in the locality must be affiliated with this exchange,[2] for it will make all the rules for the relations between the local trades[3] and will supervise both the collection of raw materials and the local distribution of goods.[4] It will sit as a court of justice, though the most extreme penalty which it may enforce will be banishment from the country.[5] The sole military establishment, a local militia with voluntary recruitment, will be equipped by this body.[6] In short, the local labor exchange is to vest both political and industrial autonomy collectively in the workers of the locality.

The power of the two national governmental organs is to be strictly limited. The congress of the *Confédération Générale du Travail* is to be composed much as it is now, with delegates representing both the local labor exchanges and the national trade federations. The work of this body will be largely to discuss matters of national importance which inherently require uniform action. Such questions as the length of the working day, the care of the aged, and the relations with other countries, will come before it.[7] No final decision, however, may be reached until the delegates have again stood for election by their constituents in order that they may have a direct mandate for their action.[8] Inasmuch as the congress of the Confederation cannot be in session all of the time,[9] there is to be appointed a large body, known as the "confederal committee",

[1] Patuad and Pouget, *op. cit.*, p. 118.

[2] *Ibid.*, p. 132.

[3] Sorel, *L'Avenir socialiste des syndicats*, p. 48.

[4] Levine, *op. cit.*, pp. 129–130.

[5] Law is to be abolished and justice and right are to be substituted for it. Patuad and Pouget, *op. cit.*, p. 114. For this reason it is expected that the administration of police regulations will be a very simple matter. *Ibid.*, pp. 136–137, 151–152; Sorel, *L'Avenir socialiste des syndicats*, pp. 49–56.

[6] Patuad and Pouget, *op. cit.*, pp. 157–158.

[7] *Ibid.*, p. 130.

[8] *Ibid.*, p. 129.

[9] All officials are to be workers and only leave their work for a short time to attend to governmental business.

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which is the nearest approach to an executive in the whole scheme. This committee is to be composed of one representative from each of the local exchanges and national trade federations, regardless of their size.[1] Its duties will be to furnish information of a national character and to act as a general clearing house through which the statistics collected by the local exchanges may be made available; but it is not to exert any direct controlling authority over the local bodies.[2] In fact, although it is to act as a connecting bond among the various trades, it may not decide any question finally, but must refer all matters to the congress of the Confederation.[3]

The organization of the great national public utilities, such as the postoffice, telegraphs, telephones and railroads, presents a problem of considerable difficulty. In the syndicalist commonwealth as ultimately constituted, these services are to be organized, in general, along national lines, control being vested in the national federation of the utility concerned. Thus the Railway Workers' Union will control the railroads, subject to two limitations: first, purely local affairs will be administered by the local union; second, the congress of the Confederation will have a rather indefinite supervision over the utility.[4] However, in order to secure more immediately some of the objects toward which they are working, the *Confédération Générale du Travail* has proposed a reorganization of the railroads in such a manner that both the unions and the public will be represented on the governing board.[5] But the radical elements, at

[1] Estey, *op. cit.*, p. 44.

[2] Patuad and Pouget, *op. cit.*, pp. 137–138.

[3] *Ibid.*, pp. 196–197.

[4] *Ibid.*, pp. 108–112.

[5] M. Paul Boncour in the Chamber of Deputies, May 20, 1920, stated: "The C. G. T. has wished to accomplish the necessary nationalization and to substitute for the exploitation of the abstract State, bureaucratic and centralized, the administration of autonomous organs, where would be equally represented the workers who insure the working of it; the technicians and the intellectuals whose intelligence causes its wheels to move; and the consumers who consume the products or the patrons who are served by the public services." However, M. Allix contends that in each of these "organs" the majority would always rest with the delegates elected by the unions, e. g., the railway proposal in which there would be nine delegates from the unions

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least, regard this as merely a scheme of transition and look forward to the time when the public representatives may be dispensed with and the somewhat indefinite coordination of the congress of the Confederation may be substituted for it.

Distinctive Features of the Syndicalist Theory

Perhaps the most characteristic feature of syndicalism is the extreme decentralization of the proposed state. The municipal authorities, not the national organs nor even the provincial ones, are to make the laws and to enforce them. There will, indeed, be no national law except the regulations for the national services and the few rules passed by the congress of the Confederation under the strictest sort of referendum. Presumably France under a syndicalist régime would lapse into the chaotic condition which existed before the national unification of the law. The disadvantages which decentralization entails in this regard are evident, and there seems no way to obviate them under the extreme federalism which is proposed. On the other hand, it should be noted that the bureaucratic nature of the present centralized French government, with its multitude of useless functionaries, its slowness of both executive and legislative action, its administrative "red tape," now stifles individual initiative and spontaneity of action to a very considerable degree. The reaction against this condition accounts in a measure for the federal feature of the proposed reorganization, though it is not evident that a mere swing of the pendulum to the other extreme would not entail quite as many disadvantages, due to the absence of concerted effort. Furthermore, the history of federally organized states shows that there is a marked tendency toward centralization, and it is not improbable that, if the syndicalist proposal should prove workable at all, the confederal committee would in time be able to draw to itself sufficient power to become bureaucratic. In this way the purpose of the reorganization might be defeated from within.

and six from the public. Edgard Allix, "Syndicalisme et Nationalization", *Revue Politique et Parlementaire*, July, 1920, esp. p. 124. See also J. Zapp, "*Le Syndicalisme dans les services publics*," *Revue Politique et parlementaire*, Dec., 1921, pp. 389–403.

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A second feature of the proposed system is the establishment of a minimum of control in all governmental agencies. While the locality is to have charge of most of the functions of government, its range of power is, nevertheless, very limited. The workers in the local trade are to control that trade; each worker is to control himself with the very least possible restraint; and certain matters of common national importance are to be controlled by the congress of the Confederation. By this extreme separation of powers, and by relaxing most of the control over individual action, the syndicalists hope to prevent tyranny and oppression, and at the same time to open the way for greater freedom of action by the smaller units of society. The tendency of the evolution of modern civilized governments seems to be toward deconcentration rather than toward decentralization. The rapid increase of municipal functions in American cities during the past half-century, the extension of dominion home-rule within the British Empire, the proposals for subsidiary parliaments in Scotland and Wales, the agitation for "regionalism" in France, all point to deconcentration as the probable line which governmental development will take. The system of syndicalism is clearly contrary to this movement, for it provides for a diffusion of responsibility as well as of power. All proposals for deconcentration contemplate a centralization of responsibility, even though the power of administration is diffused. Furthermore, in the syndicalist commonwealth there will be no intermediate organ of government between the local municipal authority and the national congress. Such an organ is one of the essential features of the movements for both subsidiary parliaments and "regionalism". In the third place, the syndicalists expect to do away with all but the most elementary rules and laws.[1] Under no form of deconcentration, however,

[1] Under a régime of law the syndicalists claim the individual exists for the state, but under a régime of equity the state exists for the individual. Patuad and Pouget write: "Thus on the ruins of centralization, whence had flowed the suppression and exploitation of the individual, there was installed a society decentralized, federal, where the human being could evolve in full autonomy. It was a complete reversal of the terms; up to now, man had been sacrificed to society;—henceforth, society would exist for him; it would be the soil from which he would draw the sap necessary to his growth."—*op. cit.*, p. 114.

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is there any material relaxing of the laws. Indeed, one of the principle reasons for both the movement for subsidiary parliaments and the proposals of "regionalism" is the fact that the central legislature cannot properly legislate on all regional matters.

Not only is the syndicalist commonwealth to be organized along economic lines, but in the main its organization is to follow that of the *Confédération Générale du Travail.* It thus appears that what syndicalism proposes is not so much the abolition of political organs as the transfer of power from the present political organs to the trade unions. Much of the argument relative to the corruptness of politicians and political methods at the present time, therefore, seems beside the point, for under every form of political organization there are political leaders, and whenever there are not adequate safeguards, both in laws and public opinion, these leaders are apt to be corrupt. Furthermore, the proposed organization seems fatally adapted to the furtherance of machine control and political injustice. It has been noted that representation in the confederal committee is based on a unit of organization (either a labor exchange or a federation of a trade), regardless of the size of the body represented or the importance of the industry or locality. It is obvious that great inequalities would exist;[1] and until a more satisfactory plan for the representation of economic interests shall have been evolved, it is hard to see how popular control would be more effectively secured under a régime of syndicalism than under a democratic state with representation on a territorial basis.

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[1] Inequalities exist at present in the organization of the confederal committee of the C. G. T. The glove-makers of Marseilles have but 500 members and control five votes in that body. The miners have over 40,000 members and control only thirty-five votes.—Harley, *op. cit.*, p. 35.

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A PROGRESSIVE TAX ON BARE LAND VALUES[1]

THE "single tax" proposal of Henry George went on the ethical doctrine that land was a gift of Nature to all men equally and on the economic doctrine that land consists of the forces of nature that produce wealth in excess of that produced by labor. The title of the owner to this rent was therefore invalid and it would not be confiscation to take it for common use.

Land really consists of four factors: bare land, improvements, original fertility, and improved or maintained fertility. Each has a distinguishable value. Bare-land value, at privileged spots in cities, may be very high, depending on access to markets and on the foundation afforded by the land for buildings. If the foundation is not suitable it must be improved by cutting down hills, filling swamps, driving piles, and so on, thus adding an improvement value to the bare-land value.

It is similar with agricultural land. This furnishes a foundation, partly for structures but mainly for fertility. The value of bare land for agricultural purposes depends on access to markets and the foundation afforded for fertility. If it is sandy soil, its capacity to take on fertility is low. If it is a high grade of silt loam, which, however, has been worn out by destructive cultivation, it still has a capacity to be brought back to its original fertility, and this capacity is greater than that of the neighboring sandy soil. In both cases, it is the texture, the shape, the topography, the "lay" of the land, that determine how much plant food it will be worth while to put in and keep in the soil. The fertility and plant food may be exhausted, but the "original and indestructible" qualities of the soil are the foundation furnished for original, maintained, or improved fertility. It cannot usually and economically be made to take on more than its original fertility, and it can, by good cultivation, be made to take on nearly that much. In

[1] In accordance with the custom of THE POLITICAL SCIENCE QUARTERLY, the Editors disclaim responsibility for theories or policies advocated by contributors.

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some cases, like truck gardens, it is profitable to add more than the original fertility, and this excess is properly named "improved fertility"; while, if maintained at the level of its original fertility, it is kept "at par".

But whether it is worth while, economically, to keep it at par or above, depends on access to good roads and good markets. If it is good for truck gardening and accessible to good markets, the farmer may even build it up beyond its original fertility by abundant manures, artificial fertilizers, turning under green crops; in short, by intensive cultivation and good management.

In any case, farm land is quite like urban land. A good foundation for buildings, accessible to good markets for the kind of product produced and sold, furnishes, in the best locations, an opportunity to put up a sky-scraper, in others to put up two or three-story buildings, in others to put up homes accessible to factories and business blocks. If these improvements are inaccessible to markets, or if the owners have built too many of them for the existing markets, then the improvements have been wasted, and they shrink in value below what they cost.

There is thus a rough correlation between the value of the bare land and the value of the structural improvements which it is profitable to put on the land. It is quite the same with fertility. There is a rough correlation between the value of the bare agricultural land and the value of the fertility which it is profitable to maintain at par or above. If the land is remote from markets it is more profitable to let it run to pasture. If it is near markets it can profitably be put to crops that rapidly exhaust it and this exhaustion can profitably be counteracted by intensive cultivation and careful management.

Whether or not any given piece of land will follow this correlation depends on its ownership and management. Tenancy and bad management may deplete the soil, good management may keep it even above par. It is similar with urban land. One owner will build a sky-scraper, the next will keep his land vacant. The rough correlation between bare-land value and the value of improvements or improved or maintained fertility is a correlation, not of what is always actually done, but of

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what is economical, that is profitable, to do. The individual differences of landowners are great, and it is exactly these differences that are affected by the system of taxation.

But differences between individuals are not the only differences affected by the system of taxation. Each of the four factors of which land consists is also affected. In fact, there are three variables to be considered in imposing taxes. One is the individual faculties or abilities, the human resources of the nation; another is the opportunites to exert the faculties, the natural resources; and the third is the inducements to exercise the faculties and conserve or expand the resources. These are inseparable but distinguishable.

The differences in abilities are, of course, very great, but the main difference, from the standpoint of inducements, is that which Schumpeter has made the center of his theory of economic evolution,[1] the difference between the "static-hedonistic" laborer or peasant and the dynamic business man or capitalist. These differences underlie the essential distinction between wages, interest and rent, on the one hand, and profit on the other. Profit is the inducement of the dynamic factor; wages, interest and rent the inducements of the static factors. Profit looks to the future, is speculative, takes risks, and, in doing so, animates the business faculty that attracts and commands laborers, investors, and landowners to do its bidding. The others must be induced by the business man through offers of wages, interest, rent; but business ability is self-induced by the prospect of profit. Profit is the constructive factor; the others are passive, awaiting the initiative of profit. And it may correctly be said that, not "land" or "labor", but profit, produces wealth.

This is the justification of private property and inequality of compensation. If people would work voluntarily according to the socialist principle, "From each according to ability, to each according to needs", then private property and profit might be discontinued.[2] But people, as a rule, actually work on the

[1] Schumpeter, J., *Theorie der Wirthschaftlichen Entwicklung* (1912).

[2] *Cf.* Lenin's *The State and Revolution*, where the dictatorship of the proletariat is to continue until mankind acts voluntarily on this principle.

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principle *from* each according to ability, *to* each according to ability. And this is the essential attribute of profit, the compensation to business ability. Others may be paid in proportion to their needs, or in proportion to their strategic position as owners of what the business man needs, but business ability is induced preeminently by prospects of profit according to ability.

Yet business ability is inseparable from the opportunities to exercise it. These opportunities also have differential advantages as great as the differences in abilities, and these differential advantages are the very reasons for private property. Karl Marx even maintained, in contrast to Ricardo, that it was private property and not differences in productivity, that caused the phenomenon of rent. Certainly if all property were held in common, then these differences in productivity would be merged into a single fund, and Ricardo's differential productivity would become Marx's "average" productivity. Ricardo emphasized the differences in nature, Marx the differences in ownership, but the two are subordinate to differences in profits. Private property of all kinds, whether in bare land, improvements, original, maintained or improved fertility, is justifiable exactly on the grounds that it is differential advantages that furnish the telling inducements to the dynamic factor to make all the profit possible, since only by differences in compensation will business ability come forth and give employment to the static participants. Luck, chance, gifts of nature, whether they exist in one's own faculties or in nature's resources, are all alike in that the differential gains to be obtained from them are the big inducements to the business man to seek out the best instruments and use them to the best advantage.

This has its bearing on taxation. Taxation is the reverse of private property since taxes are deductions from profits, wages, interest, or rent. Under the régime of private property and liberty the business man can withhold the exercise of his faculties and can withhold the utilization of his natural resources, if the compensation is not deemed great enough. And, since taxation deducts from profits, he withholds the use of both his faculties and his natural resources *directly* according to the

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burden of taxes and *inversely* to the expected profit, which is but saying that he makes the largest use of his faculties and natural resources directly in proportion to expected profit and inversely in proportion to taxes.

"Ability to pay" is usually invoked to justify taxation of incomes and inheritances, that is, taxes on the actual acquisition of income. It is also invoked to justify the general property tax, that is, taxes on the *prospective* acquisition of income.[1] In the former case, ability to pay leads to progressive taxation by increasing the rate as the income or inheritance increases.[2] In the latter case it leads to a uniform rate on the value of the property on the idea that the amount of property owned measures the ability to pay.[3] This is the popular notion of equality. A dollar invested in bare-land value is exactly like a dollar invested in improvements, in original fertility, or in improved or maintained fertility. Each dollar measures just as much ability to pay as any other dollar. Why should there be made a distinction between one man who invests $100,000 in a farm *without* improvements and another who invests $100,000 in a farm *with* improvements? Each has similar ability to pay taxes. And why should a man who invests $100,000 in bare-land values pay a higher rate of taxation than one who invests only $10,000 in bare-land values? Ability to pay is proportional to the number of dollars, and there is no difference between the dollars.

The difference is in the method by which a person becomes wealthy. A similar question arose over the method of getting rich at the opening of the period that led to the Commonwealth of England. In the Case of Monopolies, decided in 1602, and in similar cases of that period,[4] the issue was between the holders of patents, franchises and corporate charters, granted to them by the monarch, and the merchants and manufacturers not holding and enjoying such privileges. The spokesmen for

[1] Seligman, E. R. A., *Essays in Taxation*, (1895), pp. 54–59.

[2] Seligman, *Progressive Taxation in Theory and Practice* (1899), p. 138.

[3] Seligman, *Essays*, p. 54.

[4] Davenant *v.* Hurdis, (1599), Moor. 576; Case of Monopolies (1602), 11 Co. Rep. 84; Bates' Case (1604), 11 Hargrave State Trials, 29.

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the latter contended that when a merchant or manufacturer, skilled in his trade, increased his own wealth he increased by just so much the "common-wealth". But when a patentee of the king increased his wealth by means of his exclusive privilege, he, not being skilled in the trade, merely extracted that wealth from the commonwealth without making a corresponding addition to it.

So it is with the modern emergence of bare-land values. If a person increases the supply of cleared land, of buildings, skyscrapers, timber, forests, orchards, drainage systems, road improvements, soil fertility and other products of business ability, or even if he increases the supply of bare land by management and expenditures which bring more of it accessible to markets, he increases the supply of wealth of the state in much the same proportion as he increases his own wealth. But to see one's own wealth increase solely by an increase in the value of bare land, uncleared, unimproved, devoid of fertility, timber, structures, and without making it more accessible, is to see one's wealth increase by mere opportunity to extract it from the commonwealth without contributing a proportionate increase to that commonwealth. A similar increase in the wealth of each is a similar increase in ability to pay, but one is an increase only in private wealth, the other is an increase in both private and public wealth.

But the popular notion of ability to pay is even more perverse than the general property tax. Taxes can be paid only out of income. Ability to pay is proportionate to income. Bare land does not yield an income. Hence ability to pay is diminished by holding bare land idle. The income tax perpetuates this perversity. An increase in the value of the land is interpreted to be income when the land is sold, and it is then taxed as income; but if there is no annual yield from the land there is no income to be taxed. Hence the man who is "land poor" is less able to pay taxes than the man who improves his land by fertility or buildings. Indeed, it is probable that, on the average, less profit is made by those who merely hold land for a rise than by those who engage in other business.

Therefore, if ability to pay is the only canon of taxation, it

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is concluded that the tax on an owner of vacant land should be less than the tax on an owner of productive land, even though the value of his land is no less than the value of the other owner's property. This purpose is often accomplished by local assessors relatively undervaluing the unimproved land while taxing it at the uniform rate.

But if there is another purpose of taxation that may properly be applied, namely, the effects on wealth-production, then the man who gets his wealth by mere rise in bare-land values should pay proportionately higher taxes than the one who gets his wealth by industry or agriculture. In the one case he extracts wealth from the commonwealth without adding to it. In the other case he contributes directly to an increase in both private wealth and commonwealth. Hence, looking at it from the commonwealth standpoint, there are two kinds of ability to pay: that ability which varies directly with one's additions to the commonwealth and that which varies inversely to one's additions to the commonwealth. But since the two kinds of ability to pay exist together in the same individual, although in different proportions for different individuals and opportunities, the differences being thus differences in degree, the canon of taxation might read: Taxes should be proportioned directly according to a person's ability to pay and inversely according to his additions to the commonwealth.

This provisional canon, or maxim, rests on a corresponding concept of taxation. Shall we look at a tax, or taxation in general, from the standpoint of what has happened in the past, or from the standpoint of what will happen in the future as an effect of the tax? If we look at it from the standpoint of what has previously happened then we shall emphasize equality, ability to pay, the original or free gifts of nature, the accidents of good luck, in short the wealth obtained in the past, as the proper measure of taxes; and shall look upon income taxes, inheritance taxes, or the uniform property tax on accumulations of the past, as the appropriate method of taxation. But if we look at a tax from the standpoint of what may be expected as the economic results of the tax, then we shall inquire: What will be the best inducements to individuals to increase the commonwealth by increasing their own wealth?

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It is well recognized that taxes and tax exemptions operate like the police power, and are often consciously employed for the regulation of industry, morals or welfare, rather than the acquisition of public revenue. Dr. Seligman has shown that the distinction between the taxing power and the police power is, to a great extent, a legal fiction, and is unnecessary from the economic and fiscal standpoint.[1] Furthermore, we may add, under the decisions of our courts taxation is the most highly privileged exercise of the police power, since, considering that it is the principal means of collecting revenue on which the very life of the state depends, the courts do not scrutinize captiously the incidental regulative effects of taxes.

But the police power is none other than the sovereign legislative power to restrain or suppress what is deemed evil, and to promote and foster what is deemed good, for the commonwealth. Taxation then, is the most pervasive, the most privileged, and, with the enormous increase in taxes resulting from the war, it is becoming the most effective, exercise of the police power. Even when not consciously intended to be regulative, taxes nevertheless regulate, for they determine the directions in which people may become wealthy by determining directions in which they may not become wealthy. They say to the business man: Here is profit, there is loss. It is impossible to avoid these effects of taxes, therefore impossible to escape the police power of taxation, therefore impossible to look upon taxes of any kind whatever as merely a means of obtaining revenue according to principles of equality, or ability to pay, or accumulation of wealth, or any standard that looks solely to the acquisitions of the past. Taxation is, in fact, a process of obtaining public revenue by proportioning inducements to obtain profits. And, since it always has these effects, and since, in fact, all legislators and assessors actually do consider, more or less, the expected effects, it is but doing openly, what taxing authorities are already doing privately or blindly, if the science of finance attempts to guide the practice by setting up a standard of public value, namely, the apportionment of taxes directly to ability and inversely to public benefit.

[1] Seligman, E. R. A., *Essays in Taxation*, (1894), pp. 269, 273.

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Of course, it can always be objected that such a maxim opens the door to the prejudices, passions and struggles for power of individuals and classes, in politics, legislatures, and the administration of the taxing power. Everybody identifies more or less his private interests with public interest, and many will protest that openly to concede an opportunity for individual and class opinion to dictate the apportionment of taxes is to wreck the constitution by substituting class legislation for due process of law. Well, it is already being done, and, with the increasing burden of taxation, will be more vigorously done. It is being done consciously, unconsciously, blindly, ignorantly, by greed and camouflage, and it is better to recognize it openly than to deceive ourselves. We can then base our case, as in fact always is done regarding any particular tax measure, on whether or not its economic effect will be what it is asserted to be, a public benefit. We can explicitly set up the standard of commonwealth along with that of private wealth. Respecting the particular measure in hand, the general property tax and the land tax, we can then pass from the dogma of natural rights and Ricardo's and George's notions of the productivity of nature's resources, to the behavioristic doctrine of proportioning the inducements to individuals to acquire wealth by increasing the commonwealth.

If we look at what has happened in the past, then we might say that original fertility was a gift of nature and not a product of management, and the owner of it should therefore be taxed upon its value. But if we look at it from the standpoint of what will happen in the future, then we shall inquire: What will be a fair inducement to farmers to clear the land, to maintain this original fertility and to improve it? Accessibility to markets and apportionment of taxes are two inducements which the state furnishes to the farmers to increase the wealth of the state by making a profit for themselves. For the farmer is a business man. It is not his manual labor that produces wealth —it is his expected profits. As a mere laborer the farmer gets paid for the work which he has done in the immediate or remote past. As a business man he hires laborers and goes to work himself in expectation of the profits he will make in the

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future. Profits look to the future, wages to the past, and it is expected profits that produce wealth. The increase in profits is measured, partly by the increase in value of the soil fertility, partly by increase in the value of bare land out of which the expected profits are to be produced. And, in proportion as population increases and he expects his land to have accessibility to markets, in that proportion does the farmer have a greater inducement to cultivate the soil more intensively, to borrow or invest more savings in it for future crops, to put on more structural improvements, and to improve the highways which make the land more accessible.

Hence the psychological explanation of the rough correlation between bare-land value and value of improvements. The more accessible to markets and therefore the more probable the profits, the greater is the supply of buildings, factories, fences, roads, and other structural improvements which both the manufacturer and the farmer are induced to construct upon the land. Land accessible to markets will carry more structural improvements profitably than land less accessible. The same is true of fertility. The more accessible the land is to markets the more probably will the farmer cultivate the land intensively, improve the fertility and maintain the original fertility. He does it by changing from forestry to pasture, from pasture to plowing, from plowing to dairy farming, from poor cultivation to intensive cultivation, from exhausting the soil to putting on manures and fertilizers and turning under green crops. Hence it is that both the value and the supply of both improvements and fertility increase along with the value of the bare land on which the improvements and the fertility are founded.

The foregoing has a bearing on the argument sometimes made that not only the owners of land but also the owners of products get their profits, not according to cost of production but according to speculative increases in value above the cost of production. These increases in value are, all of them, "speculative or chance gain", and, if one is "unearned" the other is "unearned". Therefore to discriminate between

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the two by taxing the land and exempting the products is unfair.[1]

This argument is sound from the private standpoint but does not recognize differences called for when looked at from the public standpoint of effects on industry and agriculture. All profit is, indeed, speculative gain, and all loss is speculative loss, depending partly on luck and chance. This is as true of gain from manufactures and agriculture as it is of gains from bare-land values. Indeed, as noted above, loss rather than profit may be more likely to attend speculation in land than speculation in industry or agriculture. If our criterion is merely that of the good or bad management, the good luck or bad luck, of the individual in the past, then it follows that "there is no logical reason whatever for distinguishing between gains in the value of land and increases in the value of securities or commodities held for profit or speculation. If one is unearned increment, the other must be also".[2]

But if our criterion may be also that of the economic effects on the wealth of the nation, then there is a difference between profit or loss attending the fluctuations of costs and prices of buildings, machinery, fertility, in industry or agriculture, and profit or loss attending the fluctuations of bare-land values apart from the owner's management that makes the land more accessible to markets. The problem is insoluble by either the individualistic natural-rights doctrine of the single-taxer or the theory of the unlimited right to buy, sell or use, of the individualistic opponent of the single tax, regardless of the effect of that buying, selling and using on the commonwealth. A person, it may be agreed, has an absolute right to everything he has earned in the past in conformity with law, but it does not follow that the police power or taxing power may not be used, within reasonable limits, to determine the directions advantageous to the public in which he may make a profit, by imposing burdens on making a profit in other directions less advantageous to the public. In the case of industry and agri-

[1] *Cf.* W. I. King, "Earned and Unearned Income", *Annals*, Amer. Acad., May, 1921.

[2] *Ibid.*

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culture the individual makes profit or loss in the activity of increasing the supply of food, clothing and shelter, which are contributions to the "commonwealth". In the case of bare-land value he makes a profit or suffers a loss in an activity which is not so evidently, to an equal degree, an increase in the commonwealth. There is, indeed, no absolute difference between the two. The difference is one of degree. Each is a limiting factor of the total commonwealth. Bare land is necessary for agriculture and industry, and he who increases the supply of available bare land for the uses of industry and agriculture, adds thereby to the commonwealth. Hence there can be no dogmatic statement of a single universal truth, but only a statement that distinguishes the two at points where the degree of difference is evidently great enough to be practical and important. It is for this reason that the maxim of taxation should be stated in terms that permit distinctions of proportion to be observed, and the maxim might properly read: Apportion taxes inversely to the extent to which the employment of faculties and resources increases the commonwealth.

This maxim is but a positive statement of what Adam Smith negatively states as his second canon of taxation. "Every tax", he says, "ought to be so contrived as both to take and to keep out of the pockets of the people as little as possible over and above what it brings into the public treasury of the state. A tax may either take out or keep out of the pockets of the people a great deal more than it brings into the public treasury in the four following ways . . . secondly, it may obstruct the industry of the people and discourage them from applying it to certain branches of business, which might give maintenance and employment to great multitudes".

The maxim also seems to harmonize with Hobson's acceptance of the principle of ability to pay as "the supreme canon of economy and equity", coupled however, with the first of the two following "negative conditions". "(1) It must not remove or impair any instrument of, or incentive to, essential or useful processes of production. (2) It must not remove or impair any useful or essential element of consumption."[1] And it

[1] Hobson, J. A., *Taxation in the New State* (1920), pp. 9, 12.

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seems to carry out Seligman's repudiation of the general property tax and substitution of "product" rather than "property" as the basis of taxation, supplemented however, as he allows, by a tax on unproductive real estate.[1]

Separation of Bare-Land Value from Fertility Value

It is the fact previously noted, namely, the rough correlation between value of improvements and fertility, on the one hand, and the value of bare land, on the other, that furnishes a principle for the separate valuation of fertility and bare land. In the case of urban lands there is no difficulty. The soil there has no value. It is even carted away. The value is pure site value of bare land. But in the case of agricultural land a simple rule must be found for separating the value of fertility from the value of bare land. The Grimstad bill, recently considered by the lower house of the Wisconsin legislature, carried the rule that the value of fertility should be determined as one-half the fair market value of the land for exclusively agricultural purposes, if kept at par. "Fair market value" is the usual rule of taxation. The fair market value that it would have if kept at its original state of fertility is also a concept familiar to farmers. "Run-down" land is discounted. In a certain transaction, for example, a farmer purchased a run-down farm at $100 per acre, expecting, within ten years, to build it up to the value of $200 per acre, which was the value of the farm across the road having exactly the same type of soil, and, of course, the same accessibility to markets. According to the provisions of the Grimstad bill (neglecting for the moment the value of structural improvements), the better farm would have a soil-fertility value of $100 per acre and a bare-land value of $100 per acre, while the run-down farm would have only a bare-land value of $100 per acre and no fertility value.

The soil surveys of the state show that depleted land, that is, land which has been exhausted to the point of unprofitable cultivation, has lost as much as thirty-three per cent of its *total* plant food, but has lost, of course, one hundred per cent of its

[1] Seligman, *Essays*, p. 58.

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available plant food. Should the value of that fertility be calulated at the cost of reproduction, at current cost of fertilizers, hauling and spreading? If so its value would be greater on land of low value inaccessible to markets than on land of the same fertility more accessible to markets. It would even exceed the value of remote land worth $10 to $50 per acre and would amount to a small part of the value of accessible land of similar fertility worth $100 to $200 per acre.

Such calculations are not only impracticable; they are unsound in theory. The real question is: How much inducement is needed to keep that available plant food always at par or even above par? The inducement is not merely the cost of fertilizers and manures, the cost of hauling and spreading, the loss of profit by turning under green crops, but it is the whole question of what, under a system of private property and liberty, is the expectation of reasonable profit necessary to induce the maintaining and improving of the fertility for the sake of future crops. When we consider the great uncertainties of farming, owing to weather, crop failures, freezing, frosts, floods and drought, and when we consider the inability of the farmer to control his market by stopping production abruptly as does the business man, it probably is reasonable to hold that where the business man will not invest in buildings, factories, machinery and materials beyond a point where he can expect to make a profit of ten per cent to fifteen per cent, the farmer should not be expected to build up or maintain fertility in excess of a total value on which he can expect a profit of twenty per cent to thirty per cent. It is somewhere within these limits that the margin of error may be expected to fall, and it is deemed, therefore, taking all the facts into consideration, that the proportion fifty for fertility at par and fifty for bare-land value is about as near a reasonable estimate as can be made.

The determination is similar to that in the case of regulation of freight and passenger rates or of rates to be charged by other public service corporations. Much debate has been held on questions of "physical valuation" of these public utilities, as to whether the value should be placed at the "cost of reproduction new", or "in existing condition", or at "orig-

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inal cost", or at "accrued investment cost",[1] and whether or not the rate of profit allowed in calculating accruals shall include something above the rate of interest current at the time of accrual. These calculations have turned on questions of justice, which look to what the owners have a right to claim in the present in view of what they did in the past. Similar debate has been had on the farmer's demand that the prices of farm products should be equal to the cost of production.

But when these questions of justice to investors or farmers are reduced to the practical fixing of rates or prices, the predominant factor that governs and even manipulates the calculations, if that seems to be necessary, is that of economic expediency under all the circumstances. The question then takes the form: What are the rates or prices that will induce management to attract the necessary amount of investment and labor in order to give to the public the supply of service that it should have?

But questions of expediency necessarily go in a circle. The higher the price the less will be the supply of product that the public can take, and the lower the price the less the supply the management will furnish. The only solution is the "rule of reason" provided in the common law: What would a reasonable man think was reasonable under all the circumstances after hearing all the facts and arguments? It is on this basis of "reasonableness," which is merely common sense and good judgment, that railroad commissions and courts decide whether passenger rates shall be two cents, three cents or four cents. Reasonableness is a matter of judgment as well as of justice, since it looks to the future effects of present acts, while justice, of itself, looks only to the past as justifying the claims of the present.

So it is in finding a reasonable proportion between the value of fertility and the value of bare land. The proportion can not be found as precisely as that between the value of a building and the value of the site on which the building rests.

[1] *Cf.* Bauer, John, "Basis of Valuation in the Control of Return on Public Utility Investments", *Amer. Econ. Rev.*, Sept., 1916.

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There will always be differences of opinion and a margin of error, but in fixing the proportion at fifty per cent for value of fertility to be exempt if kept at par and fifty per cent for value of bare land to be taxed, the proportion is reasonable in view of the showing of soil surveys and the profits needed if fertility is to be conserved.

There is also a consideration which might be looked upon as one of political expediency rather than reasonableness, but is in reality one of providing equality of treatment of farm owners and urban owners. In the case of urban land the owner's "capital," distinguished from his bare land, consists solely of structural improvements. In the case of the farmer his capital consists both of structural improvements and of fertility. Now, the assessed values of lands, lots and improvements in Wisconsin show that, on the average, the value of structural improvements in cities is sixty per cent of the total real-estate values and the value of bare land is forty per cent; whereas in the country the value of structural improvements is only twenty per cent, but the value of lands, *including fertility*, is eighty per cent of the total real-estate values.[1] This indicates that, on the average, the proportion of fifty per cent of total land value for fertility to be exempt, and fifty per cent for bare land to be taxed, places the farmer on an equality with the urban land owner. At this ratio the value of *improvements and fertility*, in the rural districts, becomes sixty per cent of the real-estate values while the value of bare land is forty per cent, just as the value of *improvements* alone in urban

[1] Assessed Value of Land and Improvements in Wisconsin (1919):

	Lands (rural).	Per cent.
Exclusive of Improvements	$1,289,332,819	79.08
Improvements	340,771,127	20.92
	$1,630,103,946	100.00
	Lots (urban).	
Exclusive of Improvements	$460,256,606	40.13
Improvements	686,795,320	59.87
	$1,147,051,926	100.00

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areas is sixty per cent, and the value of bare land is forty per cent of the total real-estate values. In each case, according to the Grimstad bill, sixty per cent of the real-estate values, on the average, is exempt, and forty per cent is subject to the tax on bare-land value.

It is at this point that the Grimstad bill differs from the Ralston-Nolan bill recently introduced in Congress. The Nolan bill, based on the single-tax theory that fertility is a gift of Nature, does not exempt fertility from its proposed surtax on large holdings of land, although it exempts structural improvements from that surtax. But the Grimstad bill, based on the maxim of taxation inversely to public benefit, exempts both fertility and structural improvements. Doubtless the Grimstad bill is the more palatable to farmers, as shown by the fact that some eighteen or nineteen farmers voted for it in the Wisconsin legislature. Indeed, its opponents charged that it was "a farmers' single tax", implying the motive of political expediency. Yet, if the foregoing analysis is correct, the bill is acceptable to farmers in that it places them on an equality with business men, since it treats the farmer as a true capitalist conserving the natural resources of the state, just as the business man benefits the state by means of buildings and factories. And, if the analysis is correct, the bill does not discriminate in favor of farmers against urban proprietors, notwithstanding the fact that much the larger yield of the tax would come from urban lands. This larger yield is owing merely to the fact that huge bare-land values in cities are condensed on small areas and run as high as several million dollars per acre, whereas in the country they are spread out thin and run only from one or two dollars to $50 or $100 per acre.

The Grimstad bill, however, follows the Nolan bill in that it proposes a progressive tax on large land values in single holdings, whether contiguous or separated, by exempting values held in amounts less than $10,000 and placing a surtax on the excess above $10,000. This is an application to the general property tax of the two standards, ability to pay and payment inversely to public benefit.

It rests on the fact that it is not *land* or *property* that is taxed

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under the general property tax, but *landowners* who are taxed, since taxes are paid out of income. In a certain sense a tax on land is a tax on property, since the tax, if certain, is discounted and the purchaser buys the land at the capitalized value of its expected income less the tax. Hence a tax on land seems to be a tax on property and not a tax on the owner. The owner is, as it were, an agent, to collect the tax and to deliver it to the state.

This, however, is a confusion, either of physical with business concepts, or of capital with income. Land does not pay a tax —it is owners who pay in proportion to the value of their land; and taxes are paid out of income, not out of capital. If the land does not yield the necessary income, the owner must earn it or borrow it elsewhere. Hence a tax on land is a tax on the owner's "prospective acquisition" of income, whether he actually acquires the income or not, that is, whether he uses the land profitably or unprofitably. The tax is, indeed, assessed against the land, is collectable against the land, and the legal remedy for non-payment seems to run against the land, yet it is an owner who pays the tax out of his own or somebody else's income, exactly as he pays his income or inheritance tax.

Hence the principle of progressive taxation is applicable to large holdings of *land-values*, whether the physical land be contiguous or separate. It is *owners* who pay the tax, and their ability to pay increases progressively either with an increase of actual income as contemplated in the income and inheritance taxes, or with an increase in prospective income implied in large holdings of property. Both the Nolan bill and the Grimstad bill abandon the idea of proportionality as signifying a certain fixed percentage on the value of property, and accept the idea of proportionality as signifying a progressive tax in proportion to ability to pay. The latter signifies an increased rate on the larger holdings, which is virtually to *dis*-proportion the taxes on property by making them heavier on large value-holdings than on smaller holdings.

But the progressive ability to pay, in this case, is not measured by the total amount of all kinds of property held, but only by the amount of that kind of property whose value is mere

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power of acquisition without corresponding contribution to the commonwealth. The tax progresses directly with ability and at the same time progresses inversely to public benefit.

Thus the Grimstad bill begins, as already stated, with a total exemption from the surtax of improvements and fertility, and then with a flat exemption of $10,000 on the bare-land value. The progressive rates are one-half of one per cent on the first $10,000 above the flat exemption, and one per cent on values in excess of $20,000 in single holdings. Thus, on the average, an improved farm or urban property worth $25,000 would be exempt, since a holding of $10,000 of bare-land value, being, on the average, 40 per cent of the total real-estate value, supports urban improvements, or rural improvements *plus* fertility, worth $15,000, or 60 per cent of the total value.

In all cases the proposed tax is strictly a surtax, and leaves untouched the existing general property tax, but is added to that tax. For this reason the tax is proposed to be assessed by the State Tax Commission, which already assesses public utilities and, in part, the income and inheritance taxes, while the tax is paid into the state treasury. Thus the principle of ability to pay inversely to public benefit is carried out by a progressive or graded state tax on bare-land values and exemption from the surtax of improvements and fertility, leaving the local taxes to stand as they are.

Water Power and Public Utilities

The rates and services of water power and public utilities in Wisconsin are regulated by the State Railroad Commission, but this regulation treats their values of bare land, represented by franchises and permits as well as by ownership of rights of way, terminals, docks, overflow lands and water power, exactly like their improvements, power dams and machinery. Bare-land values are entitled to earn the same profit as improvement values. The theory conforms to the notion of uniformity already mentioned, in this case, however, applied to profits as well as taxes. Evidently the profits acquired from their franchises, water power and land values, over and above the profits on their structures and other improvements, represent wealth

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extracted from the state inversely to the services which they render to the state. Hence the bill expressly provides that, in fixing rates to be charged to the public, the surtax shall not be considered.

Standing Timber and Minerals

One of the disastrous operations of the current popular notion of equality of taxation in proportion to value of property is the tax on standing timber. Standing timber is taxed under the Nolan bill on the doctrine either of free gifts of nature or the productivity of nature's vital forces.[1] This, it will be recognized, is that "productivity" theory of interest propounded by the Physiocrats and adopted by Henry George. But if the canon of ability to pay is corrected by the maxim of taxation inversely to public benefit, then standing timber should be exempt from taxation, and a yield tax, or income tax, should take its place.

The exemption of standing timber from the surtax, in the Grimstad bill, is similar in principle to the exemption of fertility. The exemption applies to original forests and natural growths as well as to forests that have been seeded or planted. Forests and soil fertility are exempted, not because the owner or his predecessor has actually put labor or expense into the cultivation of the forest or the original fertility, but because the state is interested in inducing the owner to use his property in such a way as to increase the wealth of the state by increasing the supply of timber or the supply of fertility. Each exemption is a part of the public policy of conservation of natural resources, consciously injected into the police power of taxation. The state and nation must have increased revenues, but it should get them not merely by taxing people on the value of property owned, regardless of how they use it or use it up, but by taxing them on that part of their property which does not increase the wealth of the state, and exempting them on the part where they may be induced to add to the wealth of the state by enlarging or conserving its natural resources.

[1] This has been corrected in the Keller bill, a substitute for the Nolan bill.

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There are no administrative difficulties in the separation of the value of standing timber from the valuation of the land, since the separate valuation of stumpage is customary. Timber land also, according to the Grimstad bill, enjoys the surtax exemption of soil fertility, determined to be one-half the value of the land as cutover land.

It might be said at first thought, that, if standing timber is exempt from the surtax, the same reasoning would lead to exempting quarries and deposits of ore and minerals from the surtax. In some respects the two are economically on a similar footing. Both a tax on timber and a tax on ore deposits tend to diminish the future supply of timber and ore by inducing an increase of the present supply at the expense of the future supply. On this account a yield or tonnage or income tax on ores and minerals might seem to be called for, like a yield or income tax on timber.

Yet there is a difference between the two, and the Grimstad bill does not exempt the value of underground deposits from the surtax. The supply of timber is nearing exhaustion, and, at the same time, the expanse of land useful only for timber is far from exhaustion. Most of it is cutover land, needing reforestation. Any additional taxes on the value of this timberland, which would obviously increase as the trees increase in size, is an added inducement to cut the trees before they reach a proper size. It is different with ores and minerals. The owners have greater power to withhold them from development because they are more highly concentrated in localities and in ownership, and there is not such an inexhaustible opportunity to build them up again as there is in the case of cutover timber lands.

Cost of Clearing Land and Special Assessments.

Another difference between the Grimstad bill and the Nolan bill is in the exemption, under the name "preparation cost", of the original cost of clearing land, drainage, or other original preparation of the land, including any special assessments which the owner or his predecessor may have paid on account of public roads or drainage districts that have added to the value of the land.

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But this kind of original "preparation cost," does not leave behind it any buildings, or fences, or tiling, or other physical or visible structure which can depreciate with use and be used up; and even if it does, as in the case of special assessments, then it is not the owner who has to make up for the depreciation by his own labor in increased savings, but it is the town, or county or state that has to keep it up. In so far as this is the fact, the bill treats these invisible improvements which the owner does not need to keep up by his own labor or expense, exactly as it does his visible improvements. This is done by taking the average depreciation of visible property, which, on the best information and experience, is found to be three per cent per year, and applying this rate of depreciation to the original cost of the invisible improvements, such as clearing, drainage, and special assessments, and thus amortizing them and merging them into the taxable value of the land, at the end of thirty-three years.

As illustrating the several provisions of the proposed surtax, suppose a tract of cutover land is worth $10 per acre. One-half of this value, namely $5 per acre, is valued as soil fertility and is exempt. The other half, $5, is valued as bare land subject to the surtax. But the cost of clearing is $50 per acre, so that the land when cleared is worth $60 per acre. *Before* it is cleared, if the tract, exclusive of its soil fertility, exceeds 2,000 acres and is therefore worth more than $10,000, its owner will pay the surtax on the excess above $10,000. Thus, if the total area of the tract is 4,000 acres, then the total value of the land prior to clearing, at $10 an acre, is $40,000, of which $20,000 is exempt as soil fertility, and $20,000 is valued as bare-land value. But the flat exemption of $10,000 bare-land value is deducted from this, and the excess over this flat exemption, namely $10,000, is taxed at the rate of one-half of one per cent, namely $50. But, *after* it is cleared, the 4,000 acres, at $60 an acre, are worth $240,000. But the tax will not be paid on this increase of $200,000 in its value, because the owner has added that much to the wealth of the state by doing the work of clearing, The $200,000 "preparation cost," or cost of clearing, will be

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exempt, the first year, from the tax (as well as the $20,000 fertility) so that the uniform exemption of $10,000, plus the exemption of $200,000 "preparation cost," make the total exemption $230,000, and the surtax will remain as it was before the clearing, namely one-half of one per cent on $10,000, which is $50 on the 4,000 acres.

Now, if this $200,000 "preparation cost" had been expended in visible buildings, and if the buildings were not kept up and improved continually by new labor, by repairs and improvements, then the buildings would have depreciated at a rate not less than the average of three per cent a year and would be valueless at the end of about thirty-three years. But the "preparation cost" leaves no physical buildings to depreciate. So the bill applies the average rate of depreciation of buildings to the preparation cost, so that the amount that can be claimed as exemption on account of preparation cost is reduced three per cent a year and disappears entirely at the end of thirty-three years, just as it would have disappeared if it had been visible improvements not kept up to par by labor and savings. That is, the exemption of preparation cost disappears by a sliding scale at the end of thirty-three years, and the taxable value of the land rises by that much.

In this way the same result is accomplished by terms of the bill as would have been accomplished by depreciation of visible physical improvements, if not kept up, at the end of thirty-three years. In the case of buildings or improvements, it is the physical depreciation, the "use and enjoyment", which wear them out and make them valueless at the end of thirty-three years. And they are exempt no matter what the value. But, in the case of original clearing, this bill automatically wears it out in thirty-three years; so that it cannot be claimed as exemption after that period, and thus treats invisible improvements the same as visible improvements.

Now, however, the other exemption of the bill, namely the value of soil fertility, plays a larger part. The 4,000 acres, if worth, at the end of thirty-three years, $240,000 (exclusive of structural improvements) would, if kept in one ownership, have no exemption on account of the "preparation cost" incurred

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thirty-three years before, but would obtain the full exemption of fifty per cent of its value on account of soil fertility, namely an exemption of $120,000. This, again, would have the uniform exemption of $10,000 for bare land, leaving $110,000 as the bare-land value subject to the surtax, namely, one-half of one per cent on the first $10,000 and one per cent on the remaining $100,000, a total of $1,050 on the 4,000 acres worth $240,000.

The same treatment is given to special assessments, which are paid out on account of public improvements, such as roads, streets, or drainage districts, and which add that much or more to the value of the land. Yet, so far as the owner is concerned, they do not depreciate, and hence this bill treats them like the owner's buildings which do depreciate at the average rate of three per cent a year. In the first year after a special assessment is made, the owner can claim the total amount as an exemption from the total taxable value of his land. But after thirty-three years, by means of the sliding scale, it no longer can be claimed as an exemption.

Economic Effects

The surtax above mentioned of $1,050 on 4,000 acres of land worth $240,000 could, of course, be avoided by splitting up the 4,000 acres and selling it in smaller tracts, and that is what would usually occur when the land is cleared and improved. Indeed it is an incidental advantage of the tax that it might tend gradually to break up large holdings held for a rise in value without improvements, and get them into the hands of actual farmers who improve the land.

Here occurs another objection that may be raised, with justice, against the Nolan bill, which discriminates against farmers, but not against the Grimstad bill, which treats farmers equally with urban owners. It is objected that, by increasing the taxes on farm lands, the bill would diminish their values. This, it is argued, would occur in two ways, partly by the increased tax which could not be shifted to the public, and partly by inducing more farmers to take up land at the lower prices, and thus, by increasing the supply of farm products, reducing their

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prices, which, in turn, would reduce the value of the competing farms.

But a measure which taxes farm lands exactly like urban lands would have similar effect on each. It would tend to increase the supply of buildings, factories, and the products of those factories in just the same proportion as it tends to increase the supply of farms and farm products. If, for example, in a closed market, there are 1,000 farmers and farm laborers raising crops solely for sale, and 1,000 business men and laborers, of equal ability with the farmers, manufacturing shoes, clothing, machinery and so on, solely for sale, then the total farmers' products and the total city products will exchange equally. The crops furnish the farmers' demand for city products, and the city products furnish the city demand for the farmers' products. The total supply of the one is the total effective demand for the other, from which it follows that the total *exchange value* of the one is the total *supply* of the other.

If, then, the number of farmers is increased to 2,000 while the city workers remain at 1,000, again the total supply of crops is exchanged for the total supply of city products. But the supply of crops has doubled while the supply of city products remains the same. Hence the farmers must sell each bushel of wheat, or potatoes, at one-half the former price measured in shoes, clothing and machinery, in order that all the farm products may be exchanged for all the city products.

On the other hand, if the number of city workers has also increased to 2,000, of equal ability with the 2,000 farmers, then the supply of city products has doubled at the same time when the supply of farm products has doubled. The *increased supply* of city products furnishes an *increased demand* for farm products exactly equal to the *increased supply* of farm products. Hence the farmers are not compelled to sell their wheat or potatoes at half the former price. They sell them at the same price, measured in shoes, clothing and machinery, because the total supply of each has increased equally.

Now the Nolan bill might tend to increase the number of farmers faster than the number of city workers, by taxing farm lands higher than city lands, and thus might depress farm prices

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measured in terms of city products. But a measure which treats farm lands and city lands equally, would tend to increase the number of city workers equally with the number of farm workers, and would not depress either farm prices or city prices measured in terms each of the other. In fact, this bill, by treating farm lands exactly equally with urban lands, overcomes the most serious practical objection to the Nolan bill. It is not surprising that farmers should be opposed to the Nolan bill. That bill would tend to depress farm values compared with city values. But this bill, so far as it goes, would not tend to depress one or the other. If it tends to increase the supply of farm products it tends equally to increase the supply of city products, and this equal increase of each would tend to keep up the prices of each, and consequently tend to keep up the land values of each. After all, that which increases the value of the land, as well as the value of everything else, is the increase of wealth and population through the increase of agriculture and industry of the state. If both agriculture and industry increase together, then each increases the value of the products and of the lands belonging to the other, and this is what the Grimstad bill tends to do.

Of course, the probable effect of this surtax must not be confused with the breakdown of the credit system, which is the big reason nowadays why farmers and city workers cannot buy each others' products. But that is another question.

That this surtax cannot be shifted over to the public is evident from well-known laws of competition. The bill expressly prohibits this shifting in the case of rate-fixing by the Railroad Commission. In the case of railroads and public utilities, being monopolies, the tax might possibly, up to a certain limit, be shifted if it were not for this regulation. But, in the case of all other lands, competition prevents shifting. Even if rents are raised it cannot be on account of the surtax but on account of greater demand for lands and houses. Even then, the surtax goes up proportionately to the increase in the value of the land. But the surtax itself cannot give the owner greater power to raise rents, for he already places them as high as competition will permit. A tax on buildings, improvements, products, or

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sales, would be shifted because it checks the increase of buildings or products, and this reduces the supply compared with the demand, and this enables all owners of buildings, improvements or products to ask and get more in the form of rents or prices. But this surtax on land values does not reduce the supply of land—it rather tends, if anything, to increase the supply of land offered for sale—and therefore does not increase the power of owners to charge more for the use of land or the products of the land than they can charge without the surtax.

Constitutionality [1]

The net effect of the proposed tax is to subject individuals owning land in excess of $10,000 and in excess of improvements and fertility to a special tax, characterized as a land privilege tax. The individual whose holdings are less than these amounts is wholly exempted from the operation of the law. The test of its validity is simply: Is this, or is it not, a property tax?

The constitution of Wisconsin, in harmony with that of many other states, provides: "The rules of taxation shall be uniform, and taxes shall be levied upon such property as the legislature shall prescribe. Taxes may also be imposed on incomes, privileges and occupations, which taxes may be graduated and progressive, and reasonable exemptions may be provided."

If the proposed law imposes a "property" tax, it may not be sustained, for the court has held that "for the direct method of taxing property, taxation on property so called, as to the rule of uniformity, there can be but one constitutional class." [2] Classes of property may be wholly exempted, but different classes may not be taxed at different rates.

But the Wisconsin court also held that the term "taxes on property" as used in the organic law, means taxes on things tangible or intangible, as distinguished from taxation on the right to use or transfer things, or on the proceeds of business

[1] The following is condensed from a memorandum submitted to the Joint Committee on Finance of the Wisconsin Legislature by Hon. M. B. Olbrich, Executive Counsel.

[2] 128 Wis. 553, 603.

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in which the use of things is essential, and that is because "such meaning is the common, ordinary meaning and so the one which, nothing appearing to the contrary, it must be presumed was intended in framing the constitutional provision." [1]

In this respect, the court distinguishes between property, meaning the "thing" to which the constitutional rule of uniformity applies, and property, meaning "the right to acquire, use and dispose of" the thing, to which the rule of uniformity does not apply. It follows that, since progressive taxes are permitted in case of the right to acquire and dispose of property, the presumption is at least an even one that a progressive tax will be permitted in case of the right to use property.

This presumption is further encouraged by the precedents of homestead exemption, of restrictions on the amount of land that may be owned, and of similar regulations of the police power. It follows that, as the conception of society changes with reference to the requirements of the common good, that which may be the subject of exclusive dominion changes, and social regulations keep pace therewith. This being so, the state, which possesses the power to regulate the extent of ownership in land or to decide whether there shall be ownership at all, may impose a tax under the constitution, as incident to such regulation.

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[1] 128 Wis. 553, 590-591.

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ON THE SOURCES AND METHODS OF RESEARCH IN ECONOMIC HISTORY[1]

AMONG the economic "schools" of the present day there is one which has shifted its interest entirely away from the problems set by the "historical" school, that is, from questions of origin and development in economic life. These economic Neoteroi seem to be interested almost exclusively in "price", "markets" and "business cycles", most particulary of late in the latter subject. In point of historical period they operate almost exclusively in the space of time since the Industrial Revolution. This temporal limitation is apparently justified by the general uniformity to be found in the fact that machine production is the dominating characteristic of the entire period. It finds further justification in the nature of the available materials of investigation, namely the statistics furnished by the governments of Europe and the United States during the nineteenth and twentieth centuries. The methods of investigation in these new lines of interest are mathematical—one might almost say mechanical. By the study of the data furnished upon some one industry, by eliminating as far as possible all disturbing and extraneous factors, students of economics hope to attain a body of sound statistical results out of which eventually certain valid economic laws may be ascertained. They have apparently brought satisfactory support to the empirical observation of men of a generation ago, that periods of business depression are recurrent, and recurrent in a kind of approximate rhythm. They have discarded the assumption prevalent in my college days that economic crises are abnormal or pathological. They accept these as necessary and inevitable parts of a business cycle—prosperity, crisis, depression. At least they regard crisis and depression as inevitable

[1] Read at the annual meeting of the American Historical Society, held in St. Louis on Dec. 29, 1921, as one of a series of papers and talks presented in a general conference on the History of Civilization.

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under the existing order of modern capitalistic industry. The more careful among these investigators seem to be averse to claim that they have established other than a roughly approximate periodicity in the modern business cycle.

One may doubt the accuracy and completeness of most statistical data and the possibility of eliminating entirely the subjective element from the decisions reached by the methods of statistical analyses. It is true that economists cannot isolate a field of experimentation. There is in actuality no possibility of establishing the Isolated State, such as von Thünen set up in imagination when he attempted to work out in agriculture the effect of price upon the relative profitability and, in consequence, the application in practice, of the three-field system as against the crop-rotation system. The exigencies of human life put objectivity in social and economic experimentation practically out of the question. Granting these weaknesses, I am nevertheless inclined to see great possibilities in the present methods of work used by the economists of the "market" and "cycle" schools. They seem to be working with great earnestness and conviction, but in a healthy frame of mind. They are at present in the period of the collection of the available facts and the analysis of these facts, as far as possible, with mathematical precision.

The time will surely come when these students of economics will also develop an interest in the past. They will then ask of the historian what has really occurred in the past in regard to this or that phase of the economic movements in which they are interested. This demand, it seems to me, will be an entirely justified one. If we historians cannot satisfy them, they will, by our default, be compelled to attack these problems themselves and seek their own solutions. The dangers inherent in the economists' methods of approach have been clearly shown in the work of the older historical school, particularly Rodbertus and Bücher. In the ancient field at least their attempt to establish a system of the historical development of economic activity has resulted in a distorted picture, in which the large outlines and background were often either dubious or wrong, and the special economic agencies, with their groupings and inter-relations, incorrectly depicted.

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Unfortunately my knowledge of the economic data for the period of the later Middle Ages and the Reformation does not permit me to speak with confidence of the results of the work of the economists of the historical school in these fields. Schmoller's presentation of the economic theory and practice of the later "pre-capitalistic" period is certainly to be excepted from the criticism given. But his ancient and early medieval pictures do not inspire confidence.

The reasons for the failure of the older economists to obtain results which have won the confidence either of their own group or of the historians, are fundamental ones. They lack that specialized knowledge of the sources of information which alone would enable them to distinguish between acceptable evidence and broken, isolated and doubtful hints or suggestions. Second: in their search for "stages" of economic development, they tend to group and tie up into packets marked with a single rubric, facts belonging to economic periods which are entirely different in character. Third: they lack that intimate knowledge of the manifold activities of men of the past which were not economic, within which and through which alone the economic movements obtained their sanction and their meaning. In this situation their demand upon the historian—that he furnish them with trustworthy information, tell them what can be known and what cannot be known—is from every standpoint justified. Historians have their own Organon, as Aristotle would say, and their own discipline. The products which they turn out should be such as to inspire confidence, both their own and that of those working in related fields of research.

The methods of the investigations of the historians who thus direct their interests toward the solution of economic and social problems, as it seems to me, must be determined by the nature and amount of the available evidence. In the statistical period (roughly from 1790–1840 to the present), they must either accept or reject the results obtained by the modern school of economists, according to their judgment as to the credibility or non-validity of such results; or they must acquaint themselves with the methodical use of statistical data, which seems to offer the safest guide to the goal of scientific results, and thus work out their own solutions.

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For the entire historical period preceding this time, the methods, and consequently the results, will be non-statistical. The data will be composed of isolated and non-consecutive facts. The results will be non-scientific, in point of exactness, and must be frankly regarded and stated as estimates, impressionistic conclusions, or mere opinions, as the case may warrant.

Though the methods of investigation employed must differ essentially from those used in the statistical period, the difference is one of kind but not one of intensity. The discipline must be quite as exacting—perhaps more so. Most particularly the investigator's power of personal inhibition must be great. Above all he must be aware of a natural desire to apply mercilessly the third degree to his evidence and exact from it, by force, confessions which normal treatment cannot substantiate. Again, the methods followed in the two periods will necessarily differ because of the fact that in the modern, or statistical, period the investigator must seek to set apart a given group of statistical data and study these in comparative isolation. The student working in the period of non-coherent data must, on the contrary, from the outset, attempt to see the facts which he has been able to gather in the light of all the related information which he has at his command. In other words, he cannot hope to make his observations in a sterilized medium, but must take into consideration, from the beginning, those externals into which the student of the data of the statistical period will eventually attempt to place his acquired results.

One does not deny that the factor of speculation was present in ancient and medieval economic life. But the student who gives his attention to the economic study of these fields must take warning that this economic agent, so powerfully and capriciously disturbing in the course of the modern business cycle, was far less potent in the earlier historical periods. The development of the credit system and the tremendous acceleration of the transmisson of both goods and information have given to this factor a much greater effect upon the course of business events in the period of statistical data.

The warning which I wish to give to the student of ancient and medieval economic life applies in more marked degree to

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those who are attempting to teach history by the "sociological" approach. I must waive the question as to the present possibility of resolving the complexities of social phenomena by the process of mathematical analysis of statistical data, being incompetent to discuss it. Yet I am confident that the statistical approach is the only one which offers any hope of scientific results in sociological studies. The "social" historian must be aware of the fact that the loss of all "vital" statistics in ancient and medieval life—if such ever existed in any degree which would make them available for the study of the forces and accidents which moved society—is even more complete than the loss in the economic field. The period of the existence of social statistics, in any exact use of that term, is synchronous with the period of economic statistics. In the earlier period satisfactory results upon such questions as population movements, admixture of different racial strains, effects of disease and dietetics and their social results, cannot be attained, for scientific or semi-scientific use, because of the absence of sufficient information. Here again, in the ancient field at least, we shall be able to present to the sociologist the mere fragments of a mosaic, questionable conclusions based upon broken and scattered data.

I am fully aware that statistics were once available upon certain phases of the economic life of ancient times, particularly in the field of agricultural production in Ptolemaic and Roman Egypt. There the government kept annual and most detailed accounts of all the crops planted and of the amount of the production for each kind of crop. Some of these reports have been recovered in recent years and are of great value and interest to us. But they now exist for isolated and small districts only, and even for these without anything like the continuity of series necessary to actual statistical treatment. It is unfortunate, but it is true, that we will never have the information in quantity for satisfactory results by the statistical method.

For the study of the "market"—in the sense of the demand for consumables at a given price and subject to the speculative element induced by the manufacture and storing of goods for future, rather than purely immediate, consumption—the invest-

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igator in the fields of ancient and medieval history will be in somewhat better case than in the study of business cycles. The systematic organization and exploitation of archæological evidence in the ancient period is already progressing to the point that the geographic market extension of a number of the Greek city-states and cities of the Roman Empire, and the control of these markets by changing centers of production, are becoming increasingly clear. But again the picture which we may paint will remain impressionistic, and the outlines, though correct in the main, always rough and approximate. In the matter of price we will never be able to supply that accurate and definite body of data which the economists would desire us to give for their use.

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A MONROE DOCTRINE DIVIDED: SUGGESTION FOR A PRESIDENTIAL MESSAGE[1]

IN August, 1920, the writer attended a "*velada*" in Santiago, Chile, in honor of a Chilean student who was being sent to Oxford. The affair was the event of the day in that city, and the great Municipal Theatre was filled almost to the point of overflowing. On the stage, among the speakers, were some of the most distinguished men in Chile, as well as the British minister and other diplomatic representatives. Naturally, the keynote of the speeches was "the traditional friendship of England and Chile". More than one speaker took occasion to point out that never in their national history had the Chileans had any reason to fear a British policy of "imperialism".

The above is merely a single instance of what one hears many times, not only in Chile but also in other parts of Hispanic America. "Of course the Hispanic American republics have had no occasion to be afraid of England or any other European power", we may tell ourselves, "because they have been protected by the Monroe Doctrine".

The statement will bear investigation. If the Hispanic American *republics* have been free from aggressions, their predecessors, the Spanish and Portuguese empires, were not. Take, for example, the case of England. The history of English colonization in the Western Hemisphere is made up largely of encroachments on the Spanish domain. From Virginia to Florida there were once Spanish establishments which were supplanted by the English. Jamaica, Trinidad, and the regions now called British Guiana and British Honduras were filched from Spain. England pressed back the Spanish claims along

[1] In accordance with their general policy, the editors disclaim all responsibility for the proposals put forth by contributors. The author of the present article, Dr. Chapman, is Associate Professor of Hispanic American History in the University of California, and was recently United States Exchange Professor to Chile.—ED.

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the Pacific coast. If more was not taken it was due, not to a lack of effort, but to lack of success. Twice in the opening years of the nineteenth century England sent trained armies to the Río de la Plata to conquer the great region now embraced by Argentina and Uruguay, but her troops were defeated. There followed a few years of abstention, when England was an ally of Spain in Europe, and then in 1823 there came the enunciation of the Monroe Doctrine, not an English-sponsored "Canning Doctrine" as has so often erroneously been stated, but a Doctrine which Canning himself received with no little displeasure when he saw the terms in which it was couched.

European expansion in the Americas was blocked, unless the overseas governments were willing to risk a conflict with the United States—but it was not blocked elsewhere. Let anybody compare a map of the world in 1823 with a world map of today! In 1823 Western European possessions in Africa were limited to a few scant strips of coast and the settlements at the Cape. Today Africa is a splash of colors representing the holdings of England, France and Italy, with minor tidbits to lesser powers. Liberia alone stands free. Look at Asia—and the same thing will be observed to have taken place. Where, for example, are Afghanistan and Beluchistan, which but a few years ago used to grace our maps as independent entities? But the detail of European conquest in Asia during the past hundred years is long and tedious. Look also at Oceanica and the South Pacific. There too the wave of European imperialism flowed in. Even in Europe itself there have been "readjustments" of frontiers and changes of flag, especially in the eastern Mediterranean. In other words, everywhere in the world, *except in the Americas*, the years since 1823 have been one of the greatest epochs of European conquest that history records.

The writer sets this forth in no sense of accusation. He recognizes, for example, that there have been British statesmen who could say "Perish India!", bewailing the fact of the British Empire. He recently talked with an Englishman who in all sincerity "lamented the necessity" of England's taking possession of Mesopotamia, though he was convinced that it was "England's duty to mankind" to do so. But India did not

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perish; it grew. And the valuable oil fields of Mesopotamia are commonly understood to have been appropriated to the almost exclusive use of England. Nothing of that sort has happened in the Americas. Is it reasonable to deny that the Monroe Doctrine has been largely responsible?

The discussion may be brought back to the point of starting. Due to the restraint imposed upon them by the Monroe Doctrine, the European powers have obtained a reputation in Hispanic America that they do not deserve. And so too has the United States, but in this case it is a horse of another color. Too frequently the Monroe Doctrine is looked upon as an instrument for conquests by the United States, under the pretense of protecting the Hispanic American republics from their European friends, "who have never done them any harm". All too often our European trade rivals do what they can to foster this ungenerous view.

The evil of this situation is that the Monroe Doctrine is proving a bonanza for European trade and a boomerang for ours. A European who was not an imperialist might well drink long life to the Monroe Doctrine. But has anybody ever read a word of commendation for it among English, French, or German writings? Certainly not often, if at all. Europeans do not like it, though it helps them so long as they confine their wishes to trade and investment.

Come now to the next question. Is there any reason why we should assist European business, to the detriment of our own? In other words, is the Monroe Doctrine worth retaining in whole or in part, or should it be given up?

The Monroe Doctrine sprang into being in response to two motive principles: a feeling of American intercontinental solidarity; and a concern for our own national defense. Whatever changes the Doctrine may have undergone in its application, these ideals continued to be, and still are, the foundation stones. The first of them, however, is gradually being taken over by Pan-Americanism, though the success of that institution is not yet as great as could be desired. The second is becoming less and less vital as the years wear on. At the present moment nothing less than a combination of European and Asiatic ene-

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mies could hope to overthrow us in war. Admitting that the Caribbean area and the Pacific lands nearest the Canal would be a menace in the hands of a great power, it does not seem probable that there could be any danger to us from any enemy in southern South America. Furthermore, at least four of those countries are so well established and so punctiliously observant of their international obligations that they would offer slight excuse for anything but the most brutally wanton conquest, and it is not likely that our European brethren will be graceless enough for that. Come then to the first sentences in a new statement about the Monroe Doctrine which the writer could wish some Presidential Message might adopt:

> The Monroe Doctrine was enunciated and has been sustained by this country out of a feeling of American intercontinental solidarity and as the cornerstone of our national defense. In view of the fact that in its present form it is not popular with large sections of the public in each of the Hispanic American republics and that its continuance is therefore detrimental to American business, it behooves us to make fitting modifications either in its application or in its terms. For the purposes of national defense we are indeed interested in the lands which are nearest to us and to the Panama Canal, but as regards happenings in the more southerly republics of South America we need from that standpoint have small concern. The United States might very well, therefore, abandon the Monroe Doctrine with respect to the last-named countries, while retaining it in so far as it relates to European or Asiatic aggressions in the rest.

The republics which might thus be left out of the fold would be, probably, Peru, Chile, Bolivia, Paraguay, Argentina, Uruguay and Brazil. Ecuador (because of its strategic position with respect to the Canal) would be retained with Mexico, Central America, northern South America, and the West Indian islands, within the purview of the Doctrine.

Here, if merely our own narrowly national interests were to be considered, the new presidential message might stop, though it would then be necessary to omit the first sentence given above, or else leave the "intercontinental solidarity" swinging uncomfortably in the air. Few of us, however, would be will-

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ing so lightly to abandon a national ideal which most of us believe has been, on the whole, beneficent. Furthermore, it seems almost like treachery to the occasional friend we have had in the southern republics who has dared to defend us and even to proclaim the Monroe Doctrine. What, for example, would we say to President Brum of Uruguay who recently made a remarkable statement in favor of the Doctrine? On June 18, 1917, the President of Uruguay (influenced by Brum who was not then President) issued a decree to the effect that an offense against one American nation should be considered an offense against all and that Uruguay would not treat as a belligerent any sister American state so attacked. Thus did Uruguay put herself unreservedly on the side of the United States during the war. Early in 1920 Señor Brum, now President, defined his position in course of an address on international law. He asserted that all American countries, including the United States, should hold it as an attack upon each when some non-American country should give offense to any one of them, and should take joint action against such aggression. In one of the strongest arguments ever made, he pointed out clearly how the United States had saved Hispanic America, not only recently against Germany, but also in the past. He then went on to urge the embodiment of a somewhat expanded and clarified Monroe Doctrine in the constitution of a League of American Nations, which might exist without prejudice to a world League. In this document the bugaboo of United States' aggressions was to be definitely exorcised. He also spoke of American solidarity in any League of Nations of the world. Let us then proceed with the Presidential Message:

> It is neither the wish nor the intention of this government to abandon the ideal of intercontinental solidarity with respect to the southern republics of South America. Indeed, the United States may very well offer to embody the principles of the Monroe Doctrine in treaties with those countries, along the lines recently suggested by President Brum of Uruguay.

Perhaps this is the point where wise statesmanship should stop. Unforeseen circumstances may compel us, like the Eng-

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lishman in Mesopotamia, to be under the "lamentable necessity" of doing our "duty to mankind" in some of the nearer republics of Hispanic America. The question is not easy to resolve. Some will say that self-determination is the only moral rule to apply. Others point out that an anarchic self-determination in fact injures others, just as a man who sets his own house on fire endangers the neighborhood. They also argue that the world has now become so small that none of its resources can afford to be wasted. There may indeed be two opinions on the moral code of imperialism, but there can be little doubt that the national advantages in a career of conquest are altogether outweighed by the disadvantages. During more than a century of our national life we scarcely so much as thought in terms of imperialism, except by way of an offshoot from our own domestic politics. In 1898 we made our bow in world affairs, and then for a time many of us were temporarily attracted by the glamor of conquest. But, as history goes, the dream lasted but a moment. The American people rushed into the Great War without a thought of advantage to themselves, and came out with unsullied hands, where they might have taken almost anything they wished. Nay more, we all know that there was for a time a distinct feeling of dissatisfaction with our allies, precisely on the ground that each and every one had yielded to the temptation of imperialism. Would it not then be worth while to consider a further addition to our Presidential Message?

With respect to the other countries still included as within the sphere of the Monroe Doctrine, it is the desire of the United States that they alone shall determine their fate as sovereign peoples. The United States should welcome them too to such a League of American Nations as President Brum suggests. Thus the fear of certain Spanish Americans that the Monroe Doctrine is in reality a weapon against themselves should then be dissipated. The time has not come, however, when the interests of our national defense could be turned over to a league which has yet to be put on trial. It will therefore be necessary for this government to retain its traditional principles with respect to the area mentioned, in its own defense against the non-American powers.

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What would be the effect? In southern South America the first reaction would be one of surprise; among certain youthful internationalists and literary dilettantes there would be something akin to regret at seeing their silly predictions of an agressive American use of the Monroe Doctrine thus come to naught. There would be no immediate rush to make the offered treaty, but, sooner or later, common sense would prevail, and southern South America would come into the fold, led perhaps by Uruguay. In the countries nearer to us, there certainly would be a temporary outcry if the last paragraph in the proposed message were not included—no worse, however, than is already chronic. With that paragraph included, some of them would still cry out, but their governments would enter the League sooner perhaps than some of those farther south, if only to avoid losing certain advantages with respect to one another. The League in origin would not be a strong, whole-hearted organization, but in course of time it might become so. Then *and then only* could we abandon the Monroe Doctrine in entirety.

In conclusion, then, let us set forth the "Message" as a whole.

The Monroe Doctrine was enunciated and has been sustained by this country out of a feeling of American intercontinental solidarity and as the cornerstone of our national defense. In view of the fact that in its present form it is not popular with large sections of the public in each of the Hispanic American republics and that its continuance is therefore detrimental to American business, it behooves us to make fitting modifications either in its application or in its terms. For the purposes of national defense we are indeed interested in the lands which are nearest to us and to the Panama Canal, but as regards happenings in the more southerly republics of South America we need from that standpoint have small concern. The United States might very well, therefore, abandon the Monroe Doctrine with respect to the last-named countries, while retaining it in so far as it relates to European or Asiatic aggressions in the rest.

It is neither the wish nor the intention of this government to abandon the ideal of intercontinental solidarity with respect to the southern republics of South America. Indeed, the United States may very well

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offer to embody the principles of the Monroe Doctrine in treaties with those countries, along the lines recently suggested by President Brum of Uruguay.

With respect to the other countries still included as within the sphere of the Monroe Doctrine, it is the desire of the United States that they alone shall determine their fate as sovereign peoples. The United States should welcome them too to such a League of American Nations as President Brum suggests. Thus the fear of certain Spanish Americans that the Monroe Doctrine is in reality a weapon against themselves should then be dissipated. The time has not come, however, when the interests of our national defense could be turned over to a league which has yet to be put on trial. It will therefore be necessary for this government to retain its traditional principles with respect to the area mentioned, in its own defense against the non-American powers.

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ARE INVENTIONS INEVITABLE? A NOTE ON SOCIAL EVOLUTION

IT is an interesting phenomenon that many inventions have been made two or more times by different inventors, each working without knowledge of the other's research. There are a number of cases of such duplicate inventions or discoveries that are of common knowledge. It is well known, for instance, that both Newton and Leibnitz invented calculus. The theory of natural selection was developed practically identically by Wallace and by Darwin. It is claimed that both Langley and Wright invented the airplane. And we all know that the telephone was invented by Gray and by Bell. A good many such cases of duplication in discovery are part of the stock of knowledge of the general reader.

There are, however, a large number of very important instances that are not so well known. For example, the invention of decimal fractions is credited to Rudolph, Stevinus and Bürgi. Oxygen was discovered by Scheele and by Priestley in 1774. The molecular theory is due to Avagadro in 1811 and to Ampère in 1814. Both Cros and du Hauron invented color photography in 1869. The trolley car resulted from the work of Van Doeple and also Sprague, and the essential elements were devised independently by Siemens and Daft.

We think of Napier and Briggs as the inventors of logarithms, but it is not generally known that Bürgi also invented them three years previously. We associate the origin of photography with Daguerre but it was also independently invented by Talbot. Boyle's Law is known in French textbooks as Marriotte's Law. The existence of Neptune was discovered independently by Adams and Leverrier, before the planet was actually observed, the work of these two mathematical astronomers leading to its observation by others. Gauss is frequently recognized as responsible for the principle of least squares. Legendre published his account of the principle three years before Gauss did, although Gauss had used the principle still earlier.

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There were four independent discoveries of sunspots, all in 1611, namely, by Galileo in Italy, Scheiner in Germany, Fabricius in Holland and Harriott in England. The law of the conservation of energy, so significant in science and philosophy, was formulated four times independently in 1847, by Joule, Thomson, Colding and Helmholz. They had been anticipated by Robert Mayer in 1842. There seem to have been at least six different inventors of the thermometer and no less than nine claimants of the invention of the telescope. Typewriting machines were invented simultaneously in England and in America by several individuals in these countries. The steamboat is claimed as the "exclusive" discovery of Fulton, Jouffroy, Rumsey, Stevens and Symmington.

That so many inventions and discoveries were made by two or more persons is not generally known. Researches into the histories of science and of inventions reveal a surprisingly large number of instances of multiple but independent origins of inventions. The appendix to this article contains a list of 148 such cases chosen from the fields of mathematics, astronomy, chemistry, physics, medicine, biology, psychology and practical mechanics. The list could be extended considerably by further research, particularly into the fields of lesser inventions. The best source for such data is the history of science within the past hundred years. The origin of the vast number of minor inventions in the practical arts is not recorded except within recent years in the files of the patent offices.

Knowledge of the origins of inventions in early times is lost. Records are largely dependent on writing, and it is only in recent years that we have written information about inventors. Among the peoples without writing there were probably many independent inventions of the same tool. But definite proof is difficult to obtain because it is not easy to tell whether the possession of the same tool by two different primitive groups is due to diffusion or to independent origin. In some cases the probability of independent origin is very great, as in the case of bronze-making in Peru and in the Old World, or the blowgun in America and in Borneo, or the pyramids in Central America and in Egypt. A fairly long list of such instances

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might be cited. But a statistical compilation of probable instances of multiple origins of inventions among primitive peoples would give little evidence of the relative frequency of inventions made independently, because of the vast number of cases about which we are ignorant.

But, if we leave these cases out of consideration and confine our evidence merely to the historical period, it is surprising that we can find so many cases where two or more inventors independently made the same invention, for the development of contacts has made the spread of knowledge increasingly rapid. For instance, if the knowledge of the invention of wireless telegraphy is spread quickly over all the industrialized areas, this fact in itself would cut short the researches of other inventors along similar lines. Furthermore, many inventions and discoveries are now patented, so that the invention of the same object by others either is prevented, or, if not prevented, is known. The records of the United States Patent Office show that about twice as many patents are applied for as are granted. Many of these applications are no doubt denied because the invention is already patented. This is further evidence that many inventions are made independently by more than one person.

For all these reasons a list of recurring independent inventions assumes a greater importance than would be apparent otherwise, and a list of inventions made only once would not only be of little significance but would not imply that, without the patent laws and rapid dissemination of knowledge, they would necessarily have been invented only once. In trying to form some estimate, therefore, of the frequency of inventions occurring independently more than once, one should remember these limitations on the interpretation of the data.

Bearing in mind all these considerations, the list given in the appendix to this article is very impressive. What does it mean? Several questions are raised. Are inventions inevitable? If the various inventors had died in infancy, would not the inventions have been made and would not cultural progress have gone on without much delay? Are inventions independent of mental ability? Is not the determinism in inventions a matter

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of cultural preparation? Is not social evolution inherent in the nature of culture?

The significance of the phenomenon of parallel occurrences of the same inventions has been ably discussed by Dr. A. L. Kroeber[1] and the answers to such questions as the foregoing have been considered by him. In general, the theory turns on two points; that is, there are two factors in the making of inventions, namely, mental ability and the existing status of culture.

Mental ability, it is thought, is related to invention in somewhat the following manner. There is little doubt that inventors are men of considerable mental ability, except, perhaps, in instances where the accidental element is large. The measurement of the mental ability of the individuals in any large sample of the general population shows a distribution resembling the familiar normal probability curve. For any particular mental trait there are only a few with large measurements and only a few with small measurements and a great many individuals in between. The distribution of mental traits is similar, for example, to the distribution of statures, in which there are few who are tall and few who are short and many with medium stature, the distribution being continuous. Inventors no doubt come from the upper portion of such a frequency distribution of ability.

Of course, we do not know just how high up in the scale of ability the inventor is found. But in a large sample the normal probability curve is such that, in the upper half of the scale of ability, will be found half the number of cases. The distribution above the upper third of the scale will usually include about one-quarter of the cases. That is to say, out of 1000 individuals about 225 on the average will be found above the upper third of the scale; and about 10 will be found above the upper tenth of the scale. Thus, even granting that the mental ability of the inventor is great, the probabilities are that out of a large sample there are many chances of finding more than

[1] A. L. Kroeber: "The Superorganic", *American Anthropologist*, New Series, Vol. 19, No. 2, April–June, 1917, pp. 163–214.

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one person with a high degree of native ability. So that, if an inventor had died as an infant, there are chances that there are others with just as high native inventive ability.

But ability may vary over a period of time as well as in a cross-section of time. Thus, a random sample of 1000 individuals taken 500 years ago may have measured in inherited mental traits higher or lower in the scale than 1000 individuals chosen today. The average may be greater or less. We are here considering native or inherited ability, not the ability that results from training. Any high-school boy today knows more mathematics than did Aristotle, but his native ability in mathematics is probably much less. The way this native ability will vary over time will be by mutations or by selection. Mutations are very infrequent and the process of selection is also slow;[1] so that reckoning four generations to the century and considering the fact that a biological change or mutation must spread to a large number of individuals, there cannot be very much variation by groups in inherited mental ability over a few centuries. Therefore over the few centuries of the historical period, or at least over the period for which we can get data on the origin of inventions, the variation in native ability according to time may in all probability be neglected. There is of course —to repeat—variation within a definite sample, but the nature of the distribution of native ability is such that there is considerable probability of finding more than one individual with the particular native inventive ability. In fact such native ability may be quite plentiful.

On the other hand, the second factor in invention, the status of culture, is obviously highly variable over time, particularly in the last few centuries. The material culture three hundred years ago was very different from what it is now. It has changed rapidly. And the elements of the material culture at any one time have a good deal to do with determining the nature of the particular inventions that are made. For instance,

[1] This statement is a conclusion based upon a study of the rate of evolution and the frequency of mutations. The researches are quite extensive and the limits of this paper do not permit a development of the point.

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a few discoveries regarding electricity made possible a great many inventions in which these fundamental discoveries were used or applied. The many electrical appliances could not have been invented in, let us say, the fifteenth century, because the fundamental discoveries regarding electricity had not been made. A certain cultural preparation was quite necessary for the invention of the telegraph. The fact that so many electrical inventions followed so quickly after certain researches in electricity had been made, suggests the inevitability of these inventions. And also the fact that most of the major electrical inventions were made by two or more inventors leads one to think that electrical development was more dependent on cultural preparation than on genius. Benjamin says in the introduction to his *Age of Electricity:* "It is a singular fact that probably not an electrical invention of major importance has ever been made but that the honor of its origin has been claimed by more than one person."[1] In 1745, Dean von Kleist found that by inserting an electrified wire into a phial containing spirits of wine, he could store electricity. The same experiment was made the following year by Cuneus of Leyden, and thus we have the fundamental principle of the Leyden jar. The French claim that D'Alibard was the first to discover the identity of lightning and electricity. He performed in May, 1752, the same experiment that Benjamin Franklin performed in June of the same year. The electrical effects of dissimilar metals had been noted by Sulzer in 1768 and Cotuguo in 1786, but the effective discovery was not made until 1791 when Galvani independently discovered these same results and evolved the principle of the voltaic or galvanic cell, first constructed by Volta.

The successful invention of the telegraph was the culmination of many abortive attempts to transmit electricity. The first record of any practical form of electric telegraph is described in *The Scots Magazine* in 1783 in an article supposedly written by Charles Marshal. In 1787, Lomond proposed a similar but more practical plan. The invention of the galvano-

[1] Park Benjamin: *The Age of Electricity*, p. iii.

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meter by Ampère and the electro-magnet by Arago then gave a tremendous impetus and in 1831 a young American professor, Joseph Henry, constructed the first electro-magnetic telegraph. Henry did not patent his idea or make it public, and important as the invention was, it remained hidden until Morse performed his experiments in 1837 and finally put his telegraph in operation in 1844. It may be questioned whether Morse is entitled to the credit for the invention, since he neither first devised the mechanism nor originated the alphabet. There were two other inventors. Cook and Wheatstone obtained a patent in England in 1837, as a result of their joint experiments in constructing a telegraph; and just a month afterward, as a result of independent investigations, Steinheil successfully constructed a telegraph in Munich. Thus the evolution of electrical science was in the direction of the telegraph, and the invention was not dependent upon any one inventor.

Electric motors appeared simultaneously in England, France, Germany, Italy and the United States; and dal Negro, Joseph Henry, Bourbonze, McGawley and Davenport all laid claim to the invention. Given the railroad and electric motors, is not the electric railroad inevitable? At least six different men, Davidson, Jacobi, Lilly, Davenport, Page and Hall, claim to have made independently the application of electricity to the railroad. Similar inquiries show that the development of science was leading up to the following inventions, each one of which was invented by several different inventors: the induction coil, the secondary battery, the electrolysis of water, the electro-deposition of metals, the ring armature, the microphone, the self-exciting dynamo, the incandescent light and the telephone. Such a record of electrical inventions, while not negativing the factor of mental ability, certainly shows quite impressively the importance of the cultural factors.

We realize, of course, that the invention of the steamboat was dependent upon the invention of the boat and the invention of the steam engine. The dependence of an invention upon its constituent elements is a fact. The constituent elements are each in turn dependent on their constituent elements, and so on back to the ice ages and to resources of nature. But does the

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existence of all the constituent elements of an invention make that invention inevitable? Given the boat and the steam engine, is not the steamboat inevitable?

This tendency toward the inevitability of an invention, once given the constituent parts, and the dependence of the invention on these parts, may be seen in the history of the steam engine.[1] One sees in the interesting development of the steam engine that this invention was not dependent upon any one man and the history indicates that no one man could be expected to invent the various constituent parts as preliminary steps to making the culminating invention.

Omitting from consideration the earlier origins of the steam engine, we may start with Rivault, who proved in 1605 by experiment that water confined in a bomb-shell and heated would explode the shell. Porta had previously described an apparatus by which the pressure of steam could be made to raise a column of water. In 1615 de Caus constructed a machine similar to the one described by Porta. In 1630 Ramseye patented a "steam machine." This period was devoted largely to speculations as to the possibilities of steam and no further practical application was attempted until 1663, when Worcester constructed a machine similar to those of Porta and of de Caus, and used it to elevate water at Vauxhall. Hautefeuille in 1678 proposed the use of a piston in the steam engine and Huygens first applied this principle. Engines which were a decided improvement on Worcester's were now built. Great interest was aroused in their possibilities, and many minds set to work to solve the "problem of the steam engine". An important advance was made by Thomas Savery, who in 1698 patented a design for the first engine used in pumping water from mines. Improvements on Savery's engine were made by Desaguliers in 1718, by Blakely and Ridgeley in 1756, and also by Papin about this time. Thurston remarks that "at the beginning of the eighteenth century, every element of the modern steam engine had been separately invented and practically applied".[2]

[1] R. H. Thurston: *History of the Growth of the Steam Engine.*

[2] *Op. cit.*, p. 55.

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The nature of the vacuum and the method of obtaining it were known. Steam boilers capable of sustaining any desired pressure had been made. The piston had been utilized and the safety valve invented. Thomas Newcomen constructed a new type of engine combining these elements instead of attempting an improvement on Savery's. His invention was "the engine of Huygens with its cylinder and piston as improved by Papin, still further improved by Newcomen and Calley by the addition of the method of condensation used in the Savery engine".[1] From Newcomen to Watt there were improvements in proportions and alterations of details. Watt experimented with the Newcomen engine, discovered sources of loss of heat, and set about to eliminate this waste. The Watt engine was given its distinctive form by 1785, and since that time the growth of the steam engine has not been great, the changes being in the nature of minor improvements. Contrary to popular impression, Watt, great man though he was, does not seem to have been indispensable to the perfection of the steam engine. It would be an absurdity to conclude that, even if he had died in infancy, the Industrial Revolution would not have occurred.

Our analysis and the list of multiple inventions indicates the great importance of the status of culture as a factor in the origin of inventions. While it is true that inventions are in large part culturally determined, this fact does not mean that we can at the present stage of our information predict a particular time. In some cases the probability of predicting an invention is strong as, for instance, in the case of the steamboat, which was invented by Fulton eighteen years after the perfection of the steam engine in 1785. But in most cases we do not know fully enough the cultural situation determining the invention. To say that culture is a determining factor in inventions does not tell us what are the particular cultural elements and conditions. We do not always know beforehand what the necessary constituent cultural elements are that go into the making of an invention.

But even if these elements are in existence and if there is

[1] *Op. cit.*, p. 60.

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also the necessary native ability, the mental ability and the constituent cultural elements must be brought together. Inherent ability may exist but it must receive the necessary cultural training and it must be applied. The problem has to be seen, its solution socially desired and the ability must be trained and stimulated to attack the problem. This is where the idea of necessity, so commonly associated with the conception of inventiveness, comes in. Necessity will not produce an invention without the existence of the essential elements. For example, there was most urgent necessity among our forefathers not many generations ago to cure illness and prevent death. They tried magic and the use of herbs; but the science of medicine had not been developed; the cultural preparation did not exist. The need of an invention has a great deal to do with bringing ability and the cultural elements together, and is an important factor in the process, but there must exist the cultural preparation.

In conclusion, it is thought that the evidence presented of independent duplicate origins of inventions brings out forcibly the importance of the cultural factor in the production of inventions. Such data challenge us to analyze the relation of mental ability and cultural preparation as factors in the origin of inventions. To say that one of these factors is more important than the other is to condense the conclusion to unwarranted brevity. It is more satisfactory to summarize briefly the way these two factors are related. Mental ability is a factor, since no inventions could be made without it. And the mental ability of inventors is above the average. But the distribution of inherent mental ability at any one time is such that there is great probability of considerable frequency of exceptional native ability. The manifest ability necessary to produce inventions may be rare because the native ability has not been trained or applied to the problems of inventions. On the other hand, a specific invention depends upon a certain cultural preparation, and could not be made without the existence of the constituent cultural elements that make the invention.

However, if the necessary constituent elements exist, the invention may occur if there is a cultural need for it, for at any

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one time the distribution of inherent mental ability is such that in a large sample there are many cases of exceptional native mental ability. Witness the frequency of multiple independent inventions. Furthermore, the variation in a result, e. g., in inventions, depends on the variation of the factors. The factor of culture, since the historical period, varies rapidly within very short periods of time. The constituent elements of culture at any one time are different from what they were a few years previously. No such variation is conceivable in inherent mental ability over so short a time. In fact, it is exceedingly probable that over a few centuries there is no appreciable variation in the average or the distribution of inherited mental ability. The evidence and analysis show the tremendous importance of the cultural factor for inventions. Since the existing status of culture is so important a determinant of a succeeding culture, since culture is so highly variable, since inherited mental ability is so stable, we must conclude that the processes of cultural evolution are to be explained in cultural and social terms, that is, in terms of sociology and not in terms of biology and psychology.

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A LIST OF SOME INVENTIONS AND DISCOVERIES MADE INDEPENDENTLY BY TWO OR MORE PERSONS[1]

I

1. Solution of the problem of three bodies. By Clairaut (1747), Euler (1747) and D'Alembert (1747).

[1] The accompanying list of duplicate independent inventions is collected from histories of astronomy, mathematics, chemistry, physics, electricity, physiology, biology, psychology and practical mechanical inventions. The data are thus from the period of written records, indeed the last few centuries, and largely from histories of science. The various inventions and discoveries vary greatly in their importance. The list could be extended by further research.

There are disputes concerning many of the origins in the instances listed. Disputes frequently concern priority, a matter with which the accompanying discussion is not concerned. Where a date is doubtful a question-mark has been placed after it. Occasionally we have not been able to get the date. The most serious difficulty in making the list is the fact that the contribution of one person is in some cases more complete than that of another. For instance, Laplace's account of the nebular hypothesis is in more scientific detail than Kant's. Similarly, Halley's rôle may not have been as important as Newton's in formulating the law of inverse squares. It is sometimes doubtful just where to draw the lines defining a new contribution. Our guides have been the histories of science, and where there are differences in the historical accounts we have followed the general practice. The case of the discovery of the circulation of the blood we have excluded, as there seems to be a rather wide differ-

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2. Theory of the figure of the earth. By Huygens (1690) and Newton (1680?).
3. Variability of satellites. By Bradley (1752) and Wargentin (1746).
4. Motion of light within the earth's orbit. By Delambre (1821?) and Bradley (1728).
5. Theory of planetary perturbations. By Lagrange (1808) and Laplace (1808).
6. Discovery of the planet Neptune. By Adams (1845) and Leverrier (1845).
7. Discovery of sun spots. By Galileo (1611), Fabricius (1611), Scheiner (1611) and Harriott (1611).
8. Law of inverse squares. By Newton (1666) and Halley (1684).
9. Nebular hypothesis. By Laplace (1796) and Kant (1755).
10. Effect of tidal friction on motion of the earth. By Ferrel (1853) and Delaunay (1853).
11. Correlation between variations of sun spots and disturbances on the earth. By Sabine (1852), Wolfe (1852) and Gauthier (1852).
12. Method of getting spectrum at edge of sun's disc. By Jannsen (1868) and Lockyer (1868).
13. Discovery of the inner ring of Saturn. By Bond (1850) and Dawes (1850).
14. First measurement of the parallax of a star. By Bessell (1838), Struve (1838) and Henderson (1838).
15. The effect of gravitation on movements of the ocean. By Lenz (1845?) and Carpenter (1865).
16. Certain motions of the moon. By Clairaut (1752), Euler (1752) and D'Alembert (1752).

II

17. Decimal fractions. By Stevinus (1585), Bürgi (1592), Beyer? (1603) and Rüdolff? (1530).
18. Introduction of decimal point. By Bürgi (1592), Pitiscus (1608–12), Kepler (1616) and Napier (1616–17).
19. The equation of the cycloid. By Torricelli (1644) and Roberval (1640).
20. Logarithms. By Bürgi (1620) and Napier-Briggs (1614).
21. The tangent of the cycloid. By Viviani (1660?), Descartes (1660?) and Fermat (1660?).
22. Calculus. By Newton (1671) and Leibnitz (1676).
23. The rectification of the semi-cubical parabola. By Van Heuraet (1659), Neil (1657) and Fermat (1657–9).

ence in the contributions of Cesalpino (1571) and Harvey (1776). Although our rule has been to exclude such cases of doubt, in some instances where they have been included we have placed a question mark next to the name. In several cases the independence of the research of one claimant has been questioned by another claimant or by his followers. In many cases the verdict on the controversy seems to be that each of the inventors justly deserves the distinction. Such is the case with the Newton-Leibnitz controversy over calculus, and the Torricelli-Roberval controversy on the cycloid. In the case of the microscope, telescope, thermometer, steamboat, electric railways and others, claims are still matters of dispute. In a few cases we have indicated this fact by the words "claimed by" following the subject of the discovery or invention. Most of the cases of widely different dates have special explanations as in the case of Mendel, and numerous cases where the first inventor does not publish his theory until others have come to some conclusions, e. g., there is indisputable evidence that Young discovered the principle of interference thirteen years before Fresnel, yet neglected to publish it. It has also been difficult to abbreviate the description of the discovery into a short title suitable for a list.

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24. Deduction of the theorem on the hexagon. By Pascal (1639), MacLaurin (1719–20) and Bessel (1820).
25. The principle of least squares. By Gauss (1809) and Legendre (1806).
26. The geometric law of duality. By Poncelet (1838) and Gergone (1838).
27. The beginnings of synthetic projective geometry. By Chasles (1830) and Steiner (1830).
28. Geometry with an axiom contradictory to Euclid's parallel axiom. By Lobatchevsky (1836–40?), Boylais (1826–33) and Gauss? (1829).
29. Lobatchevsky's doctrine of the parallel angle. By Lobatchevsky (1840) and Saccheri (1733).
30. Method of algebraic elimination by use of determinants and by dialitic method. By Hesse (1842) and Sylvester (1840).
31. A treatment of vectors without the use of coordinate systems. By Hamilton (1843), Grassman (1843) and others (1843).
32. Principle of uniform convergence. By Stokes (1847–8) and Seidel (1847–8).
33. Logarithmic criteria for convergence of series. By Abel, De Morgan, Bertrand, Raabe, Duhamel, Bonnet, Paucker (all between 1832–51).
34. Radix method of making logarithms. By Briggs (1624), Flower (1771), Atwood (1786), Leonelli (1802) and Manning (1806).
35. Circular slide rule. By Delamain (1630) and Oughtred (1632).
36. Method of indivisibles. By Roberval (1640?) and Cavalieri (1635).
37. Researches on elliptic functions. By Abel (1826–29), Jacobi (1829) and Legendre (1811–28).
38. The double theta functions. By Gopel (1847) and Rosenhain (1847).
39. The law of quadratic reciprocity. By Gauss (1788–96), Euler (1737) and Legendre (1830).
40. The application of the potential function to mathematical theory of electricity and magnetism. By Green (1828), Thomson (1846), Chasles, Sturm and Gauss.
41. Dirichlet's principle in the theory of potentials. By Dirichlet (1848?) and Thomson (1848).
42. Contraction hypothesis. By H. A. Lorentz (1895) and Fitzgerald (1895).
43. Mathematical calculation of the size of molecules. By Loschmidt and Thompson.

III

44. Structure theory. By Butlerow (1888), Kekule (1888) and Couper (1888).
45. Law of gases. By Boyle (1662) and Marriotte (1676).
46. Discovery of oxygen. By Scheele (1774) and Priestley (1774).
47. Liquification of oxygen. By Cailletet (1877) and Pictet (1877).
48. Method of liquefying gases. By Cailletet, Pictet, Wroblowski and Olzewski (all between 1877–1884).
49. Estimation of proportion of oxygen in atmosphere. By Scheele (1778) and Cavendish (1781).
50. Beginnings of modern organic chemistry. By Boerhave (1732) and Hales (1732).
51. Isolation of nitrogen. By Rutherford (1772) and Scheele (1773).
52. That water is produced by combustion of hydrogen. By Lavoisier-Laplace (1783) and Cavendish (1784).
53. Law of chemical proportions. By Proust (1801–9) and Richter (?).

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54. The periodic law: First arrangement of atoms in ascending series. By De Chancourtois (1864), Newlands (1864) and Lothar Meyer (1864). Law of periodicity. By Lothar Meyer (1869) and Mendeleeff (1869).
55. Hypothesis as to arrangement of atoms in space. By Van't Hoff (1874) and Le Bel (1874).
56. Molecular theory. By Ampère (1814) and Avagadro (1811).
57. Hydrogen acid theory. By Davy and Du Long.
58. Doctrine of chemical equivalents. By Wenzel (1777) and Richter (1792).
59. Discovery of element of phosphorus. By Brand (1669), Kunckel (1678) and Boyle (1680).
60. Discovery of boron. By Davy (1808–9) and Gay-Lussac (1808).
61. Discovery of ceria. By Hisinger (1803), Berzelius (1803–4) and Klaproth (1803–4).
62. Process for reduction of aluminum. By Hall (1886), Heroult (1887) and Cowles (1885).
63. Law of mass action of chemical forces. By Jellet (1873), Guldberg-Waage (1867), Van't Hoff (1877) and others.
64. Comparison of refractivity of equimolecular quantities by multiple function. By L. V. Lorenz (1880) and H. A. Lorentz (1880).

IV

65. Resistance of vacuum. By Torricelli-Pascal (1643–6) and von Guericke (1657).
66. Air gun. By Boyle-Hooke (prior to 1659) and von Guericke (1650).
67. Telescope. Claimed by Lippershey (1608), Della Porta (1558), Digges (1571), Johannides, Metius (1608), Drebbel, Fontana, Jansen (1608) and Galileo (1609).
68. Microscope. Claimed by Johannides, Drebbel and Galileo (1610?).
69. Acromatic lens. By Hall (1729) and Dolland (1758).
70. Principle of interference. By Young (1802) and Fresnel (1815).
71. Spectrum analysis. By Draper (1860), Angstrom (1854), Kirchoff-Bunsen (1859), Miller (1843) and Stokes (1849).
72. Photography. By Daguerre-Niepe (1839) and Talbot (1839).
73. Color photography. By Cros (1869) and Du Hauron (1869).
74. Discovery of overtones in strings. By Nobb-Pigott (1677) and Sauveur (1700–03).
75. Thermometer. Claimed by Galileo (1592–7?), Drebbel? (1608), Sanctorious (1612), Paul (1617), Fludd (1617), Van Guericke, Porta (1606), De Caus (1615).
76. Pendulum clock. Claimed by Bürgi (1575), Galileo (1582) and Huygens (1656).
77. Discovery of latent heat. By Black (1762), De Luc and Wilke.
78. Ice calorimeter. By Lavoisier, Laplace (1780) and Black-Wilke.
79. Law of expansion of gases. By Charles (1783) and Gay-Lussac (1802).
80. Continuity of gaseous and liquid states of matter. By Ramsay (1880) and Jamin (1883).
81. Kinetic theory of gases. By Clausius (1850) and Rankine (1850).
82. Law of conservation of energy. By Mayer (1843), Joule (1847), Helmholz (1847), Colding (1847) and Thomson (1847).
83. Mechanical equivalent of heat. By Mayer (1842), Carnot (1830), Seguin (1839) and Joule (1840).

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84. Principle of dissipation of energy. By Carnot? (1824), Clausius (1850) and Thomson (1852).
85. Law of impact, earlier conclusions. By Galileo (1638) and Marci (1639).
86. Laws of mutual impact of bodies. By Huygens (1669), Wallis (1668) and Wren (1668).
87. Apparent concentration of cold by concave mirror. By Porta (1780-91?) and Pictet (1780-91?).
88. Circumstances by which effect of weight is determined. By Leonardo and Ubaldi.
89. Parallelogram of forces. By Newton (1687) and Varignon (1725?).
90. Principle of hydrostatics. By Archimedes and Stevinus (1608).
91. Pneumatic lever. By Hamilton (1835) and Barker (1832).
92. Osmotic pressure methods. By Van't Hoff (1886) and Guldberg (1870).
93. Law of inertia. By Galileo, Huygens and Newton (1687).
94. Machinery for verifying the law of falling bodies. By Laborde, Lippich and von Babo.
95. Center of oscillation. By Bernouilli (1712) and Taylor (1715).

V

96. Leyden jar. By von Kleist (1745) and Cuneus (1746).
97. Discovery of animal electricity. By Sultzer (1768), Cotuguo (1786) und Galvani (1791).
98. Telegraph. By Henry (1831), Morse (1837), Cooke-Wheatstone (1837) and Steinheil (1837).
99. Electric motors. Claimed by Dal Negro (1830), Henry (1831), Bourbonze and McGawley (1835).
100. Electric railroad. Claimed by Davidson, Jacobi, Lilly-Colton (1847), Davenport (1835), Page (1850) and Hall (1850–1).
101. Induction coil. By Page and Ruhmkorff.
102. Secondary battery. By Ritter and Planté (1859).
103. Electrolysis of water. By Nicholson-Carlisle (1800) and Ritter.
104. Method of converting lines engraved on copper into relief. By Jacobi (1839), Spencer (1839) and Jordan (1839).
105. Ring armature. By Pacinotti (1864) and Gramme (1860).
106. Microphone. Hughes (1878), Edison (1877–8), Berliner (1877) and Blake? (1878).
107. The phonograph. By Edison (1877), Scott? and Cros (1877).
108. Self-exciting dynamo. Claimed by Hjorth (1866–7), Varley (1866–7), Siemens (1866–7), Wheatstone (1866–7), Ladd (1866) and Wilde (1863–7).
109. Incandescent electric light. Claimed by Starr (1846) and Jobard de Clangey (1838).
110. Telephone. By Bell (1876) and Gray (1876).
111. Arrest of electro-magnetic waves. By Branley (189c–1), Lodge (1893) and Hughes (1880).
112. Electro-magnetic clocks. By Wheatstone (1845) and Bain (1845).
113. Printing telegraphs. By Wheatstone (1845) and Bain (1845).

VI

114. Theory of the infection of micro-organisms. By Fracastoro (1546) and Kircher.

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115. Discovery of the thoracic duct. By Rudbeck (1651), Jolyff and Bertolinus (1653).
116. That the skull is made of modified vertebræ. By Goethe (1790) and Oken (1776).
117. Nature of the cataract. By Brisseau (1706) and Maitre-Jan (1707).
118. Operation for cure of aneurisms. By Hunter (1775) and Anil (1772).
119. Digestion as a chemical rather than a mechanical process. By Spallanzani and Hunter.
120. Function of the pancreas. By Purkinje (1836) and Pappenheim (1836).
121. Solution of the problem of respiration. By Priestley (1777), Scheele (1777), Lavoisier (1777), Spallanzani (1777) and Davy (1777).
122. Form of the liver cells. By Purkinje (1838), Heule (1838) and Dutrochet (1838).
123. Relation of micro-organisms to fermentation and putrefaction. By Latour (1837) and Schwann (1837).
124. Pepsin as the active principle of gastric juice. By Latour (1835) and Schwann (1835).
125. Prevention of putrefaction of wounds by keeping germs from surface of wound. By Lister (1867) and Guerin (1871).
126. Cellular basis of both animal and vegetable tissue. Claimed by Schwann (1839), Henle (1839?), Turpin (1839?), Dumortier (1839?), Purkinje (1839?), Muller (1839?) and Valentin (1839).
127. Invention of the laryngoscope. By Babington (1829), Liston (1737) and Garcia (1855).
128. Sulphuric ether as an anæsthetic. By Long (1842), Robinson (1846), Liston (1846), Morton (1846) and Jackson (1846).
129. That all appendages of a plant are modified leaves. By Goethe (1790) and Wolfe (1767).
130. Theory of inheritance of acquired characteristics. By E. Darwin (1794) and Lamarck (1801).
131. Theory of natural selection and variation. By C. Darwin (1858) and Wallace (1858).
132. Laws of heredity. By Mendel (1865), De Vries (1900), Correns (1900) and Tschermarck (1900).
133. Theory of mutations. By Korschinsky (1899) and De Vries (1900).
134. Theory of the emotions. By James (1884) and Lange (1887).
135. Theory of color. By Young (1801) and Helmholz.
136. Sewing machine. By Thimmonier (1830), Howe (1846) and Hunt (1840).
137. Balloon. By Montgolfier (1783), Rittenhouse-Hopkins (1783).
138. Flying machine. Claimed by Wright (1895–1901), Langley (1893–7) and others.
139. Reapers. By Hussey (1833) and McCormick (1834).
140. Doubly-flanged rail. By Stephens and Vignolet.
141. Steam boat. Claimed by Fulton (1807), Jouffroy, Rumsey, Stevens and Symmington (1802).
142. Printing. By Gutenberg (1443) and Coster (1420–23).
143. Cylinder printing press. By Koenig-Bensley (1812–13) and Napier (1830).
144. Typewriter. Claimed by Beach (1847–56), Sholes? (1872) and Wheatstone (1855–60).
145. Trolley car. By Van Doeple (1884–5), Sprague (1888), Siemens (1881) and Daft (1883).
146. Stereoscope. By Wheatstone (1839) and Elliott (1840).
147. Centrifugal pumps. By Appold (1850), Gwynne (1850) and Bessemer (1850).
148. Use of gasoline engines in automobiles. By Otto (1876), Daimler (1885) and Belden (1879?).

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STATE HISTORY. II

NO doubt in ancient Athens the quiet controversialists of the Academy and the Lyceum now and then discussed the question as to whether men preferred to contemplate the typical or the unique; the schoolmen of the middle ages never could quite settle it, nor could the learned critics of the nineteenth century who compared the charms of realism and romance. It is a good question because it cannot be answered. Some men, for instance, will esteem biography as a mirror of humanity while others hungrily search out the singularities of the individual as alone possessing interest for them. The great crowd of us, for the most part, will choose both and seek a human story wherein we recognize ourselves, but with certain characters and circumstances not too familiar. If "local history is national history locally exemplified",[1] it has its own peculiarities as well, and can be made as interesting as the powers of its author will allow. The *Centennial History of Illinois*[2] is the latest and best example of success in such an undertaking.

In the first place, the theme was worthy of a great performance. Illinois in a century and a half has developed from a group of trading posts to one of the great states of the Union, surpassed by only two in population, and so typical in its rich variety of interests that its history seems indeed a vertical section of the nation's history, if not a microcosm of the western world. It leads in agriculture at

[1] See "State History I", POLITICAL SCIENCE QUARTERLY, vol. XXXVI, p. 574.

[2] *Illinois in 1818.* By SOLON J. BUCK. Springfield, the Illinois Centennial Commission, 1917.—xxvi, 362 pp.

The Illinois Country, 1673-1818. By CLARENCE WALWORTH ALVORD. Springfield, 1920.—xvii, 524 pp.

The Frontier State, 1818-1848. By THEODORE CALVIN PEASE. Springfield, 1919.—xi, 475 pp.

The Era of the Civil War, 1848-1870. By ARTHUR CHARLES COLE. Springfield, 1919.—xi, 499 pp.

The Industrial State, 1870-1893. By ERNEST LUDLOW BOGART and CHARLES MANFRED THOMPSON. Springfield, 1920.—xiii, 553 pp.

The Modern Commonwealth, 1893-1918. By ERNEST LUDLOW BOGART and JOHN MABRY MATHEWS. Springfield, 1920.—xi, 544 pp.

The Centennial of the State of Illinois; Report of the Centennial Commission. By JESSIE PALMER WEBER. Springfield, 1920.—489 pp.

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the same time that it holds the world's fourth largest city, ranks second in the value of its mineral product, third in manufactures, and is the railway crossroads of the country. In times past Virginiaism and New-Englandism have met within its wide-flung borders, their conflict softened by a common westernism, and the melting-pot of races, the metaphor by which the America of modern times is most frequently envisaged, has boiled more furiously in Illinois than in the Union as a whole. In the very recency and vigor of its higher culture it represents America, and in the prejudices, the virtues and the temper of its people.

All this suggests the interesting past of Illinois, but an interesting past does not of itself supply a good six-volume history. An historical consciousness and historical training are two necessary antecedents, though it is the energizing earnestness of the trained few that eventually develops the supporting sympathy among the many. There had been some tribute paid to history from the days of the state's beginning. Two governors, John Reynolds and Thomas Ford, had written formal narratives covering after a fashion the years from 1673 to 1847, and important politicians, like Ninian W. Edwards, who headed the school system in the fifties, Chief Justice Sydney Breese and Elihu B. Washburne, who might possibly be called a statesman, had devoted some time and talents to the history of Illinois, and veteran journalists like Paul Selby had dabbled in its lore. There had been some publication of collected sources. But it was not until the very end of the nineteenth century, when the Illinois Historical Society was organized, that the train of events was set in motion which has led to the present achievement.[1] The professional historians of the modern type, whose native faculties of nice discernment had been developed by a systematic preparation, addressed themselves to the archives and miscellaneous memorials of the west. Foremost among the trained few, ready and able to apply the technic of what is called historical science to the various records of the state, was Clarence W. Alvord, an instructor in the University of Illinois. He was one of those who, fifteen years ago, realized the historical unity of the great basin—more extensive than those countries known

[1] Among the valuable contributions which had no relation to the movement should be mentioned: N. D. Harris, *History of Negro Servitude in Illinois and of the Slavery Agitation in that State, 1719-1864* (Chicago, 1904); A. C. Boggess, *The Settlement of Illinois, 1778-1836* (Chicago, 1908), and M. M. Quaife, *Chicago and the Old Northwest* (Chicago, 1913).

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to former times as European Russia, Austria-Hungary and the German Empire—which lies between the Alleghanies and the Rockies. Unlike Roosevelt in the eighties, this group did not confine themselves to chronicling the picturesque adventures in the winning of the west, nor, like Shea and Winsor, to the exploration and cartography of the seventeenth and eighteenth centuries. Rather, they set out to learn exactly how this region had been ceded and receded by the diplomats until it was available as a home-land for Americans, and how these immigrants developed American group life within its borders. They saw clearly that so little had been done that comprehensive histories would be for many years impossible; in the humble spirit of true scholarship they set out to build a store of monographic studies.[1] The Mississippi Valley Historical Association was begun in 1907 and its quarterly under the editorship of Professor Alvord has become the second historical periodical of the United States and notable among those of the world. Ten years later this new school may be said to have achieved its first acknowledged masterpiece in Professor Alvord's *Mississippi Valley in British Politics,* which won the capital Loubat prize, the high laurel coveted by those who write the early history of America, his predecessors having been Henry Adams, Osgood, Beer, and W. H. Holmes, the anthropologist. It was fortunate for Illinois that she numbered among her citizens a man of such scrupulous scholarship and constructive enterprise.

When in 1905 he disinterred the ancient records of the French colonial towns, long buried and forgotten in the courthouses of Chester and Bellville, there was a flutter of interest.[2] Illinois had "colonial documents" as well as the Atlantic states! A manuscripts commission was created to assist him in his work and there was begun, under his editorial supervision, but with the aid of other university specialists, the publication of the records of the state with introductions so substantial and notes of such completeness, erudition and propriety as to set a new mark for such efforts in America. In appearance these collections of the Illinois State Historical Library have avoided the stodgy monotony of the published records of the

[1] See C. W. Alvord, "The Study and Writing of History of the Mississippi Valley", in *Proceedings of the Mississippi Valley Historical Association,* vol. I (Cedar Rapids, 1909), p. 98 *et seq.*

[2] C. W. Alvord, "The French Records in Illinois", *Americal Historical Association Report, 1915,* vol. I, p. 353 *et seq.*, and "Old Kaskaskia Records", *Illinois State Historical Society Proceedings* (Springfield, 1906), pp. 27-31.

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older states; each volume has a unity of its own, while each is included in a certain indefinitely expansible series.[1]

The administration of the state university regarded this activity of its historical faculty and others with a very cordial sympathy, and in 1909, to advance the work begun, organized the Illinois historical survey intended to discover and collect all material bearing upon the past development of the commonwealth. President James himself had contributed the first three volumes of the historical library series (1899-1901) and had a personal understanding of the difficulty and the worth of what was going forward under the newer dispensation; Dean Kinley of the graduate school, now his successor, was tireless in his efforts to find added funds to pay for copying in other libraries; Dean Greene of the college of literature and arts was for a number of years the chairman of the two state committees which oversee historical publication. To supply complete material for writing the first volume of the present history thousands of transcript pages were required from manuscripts in London, Paris, Ottawa, Quebec, as well as in Boston, Worcester, Albany, Philadelphia, Pittsburgh, Washington, Richmond, Madison and elsewhere; two copyists were thus exclusively employed for a year and a half in Paris alone.

The thoroughness of the *Centennial History* would have been impossible without the preliminary labor of the survey as embodied in the *Collections*. Three members of the university staff, Dr. Scott, Dr. Buck and Dr. Pease, prepared a bibliography comprised in about two thousand printed pages, stating with laborious particularity the character, the historical circumstances and the present location of each item, and covering newspapers, books of travel and description, county histories, territorial and state laws, and county archives. The long introductions which trace the evolution of each class of material with penetrating comment on its value and, in the case of some, suggestions as to care and safety, have importance in themselves. Though but a torso of the massive work that would represent a complete assessment of the sources that exist, nothing so extensive and precise as this has been done for any other commonwealth, and it may stand as a new milestone in the development of American state history, which must be written in no small part from materials such as those here analyzed.

[1] For example, Professor Alvord's *Kaskaskia Records* (1909) and Professors Greene and Thompson's *Governors' Letter Books, 1840-1853* (1911); the first of these is the second volume of those devoted to Virginia period and the other is the second volume of that on the Executive.

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The historian of Illinois [wrote Dr. Pease] [1] can no longer be content with chronicling the acts and the succession of her governors and legislatures, and her votes for Whig, Democratic, or Republican congressmen, senators and presidents. He cannot even be content with tracing in microscopic detail the lives of her great citizens. Rather, if he expects the world to approve his work as worth the doing, he must set himself to the task of showing how the Illinois of the present has come into being. He must explain how on the foundation of a French empire in the Mississippi valley has been built an Anglo-Saxon commonwealth—how men entered the wilderness, bought and sold land, dabbled with slavery they had put from them in their constitution as a forbidden thing, acquired wealth and achieved comfort and luxury, built roads and established schools, and administered a rude justice and a simple government. In the land records, county commissioners' records, and circuit court records, in the assessors' books, the probate wills and inventories, the election returns, and the slavery papers that survive in county courthouses is the extant material for such a history of Illinois.

Although it must be confessed that none of the authors, not even Dr. Pease himself, has made much use of these particular materials, it may be said without too violent a paradox that his paragraph does declare the spirit in which they all have approached their task.

Those who planned the history decided to present an introductory volume as an antepast of the feast that was to follow; thus Professor Buck brought out his *Illinois in 1818* the year before the celebration, essaying "to portray the social, economic, and political life in Illinois at the close of the territorial period, and, in addition, to tell the story of the transition from colonial dependence to the full dignity of a state in the Union." It was intended that this should be distinguished from the later volumes because of an easy, popular style, but such at last proved not to be the case; that is to say, the other authors also had a sense of human values, thought many of their phases through before they wrote them, and generally refrained from discharges of statistics and from that parading of small controversies as to fact that gives the heavy atmosphere of pedantry. But to say that what they wrote was popular, meaning that it was acceptable to everybody, would not be accurate. Some will contend that such a history issued at the state's cost should edify with tales exclusively of saints and heroes; they will be disappointed. *De mortuis nil nisi bonum* was not the authors' motto. Some figures like Professor Jonathan B. Turner, to whose wisdom, faith and energy the nation owes

[1] T. C. Pease, *The County Archives of Illinois* (Springfield, 1915), p. xx.

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in large part its agricultural schools and land-grant universities,[1] and Governor John P. Altgeld,[2] who tried so earnestly to solve the problems of the people, are exalted as high models of public service, but others fare like General John A. Logan, who emerges from the record as "Black Jack".[3] In refusing to apotheosize the pioneer they doubtless have displeased some readers. "Illinois", remarked the editor, "in passing from frontier conditions to a stage of higher civilization, lost nothing that was worth keeping and gained much that was of greatest value." [4]

But the American historian who sets out to find and tell the whole truth does not sail a halcyon sea. The winds of doctrine beat upon him—partisan, sectional, class, racial and sectarian—and courage as well as skill is needed to hold him to his course, especially if his sails be raised with public funds. On page 165 of *Illinois in 1818* Professor Buck set forth a quotation from a credible contemporary witness, John Mason Peck, that, "Not a few drunken, profane, worthless Irishmen were perambulating the country, and getting up schools; and yet they could neither speak, read, pronounce, spell, nor write the English language." In support of Peck he cited the Irish Catholic Governor Reynolds and others, but the Ancient Order of Hibernians told the Centennial Commission that such history was not good; in the second edition the sentence is omitted. It is said that it seemed dubious that the enterprise could make its way at all until the Commission boldly proclaimed that matters of interpretation as well as those of fact would rest in the hands of the editor-in-chief.

The history is cooperative in the obvious sense that its volumes are brought forth by eight different professors of the university, but it is cooperative as well, like most works of scholarship, in taking advantage of the monographs that have been published and, indeed, some students' theses which remain in manuscript. But beside this it may be said that probably no state history, excepting Mr. H. H. Bancroft's, has had the benefit of so much special expert service. A dozen research assistants were employed in the investigation and five

[1] T. C. Pease, *The Frontier State*, pp. 353, 384, 411, 439-442; A. C. Cole, *The Era of the Civil War*, pp. 80-81, 239, 247, 231-233, 240-245.

[2] Bogart and Thompson, *The Industrial State*, pp. 182-187; Bogart and Mathews, *The Modern Commonwealth*, pp. 190-191, 271-272.

[3] A. C. Cole, *op. cit.*, pp. 200-201, 399-403.

[4] *Transactions of the Illinois Historical Society for 1918*, p. 82.

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typists in copying extracts from the newspapers and other sources which had been marked out for use. In the prefaces are mentioned persons who have "collected the material" or prepared "preliminary studies" or "rough drafts" for considerable portions, while in three cases the service of the authors in the war necessitated the complete revision of manuscript by other hands.

Professor Alvord's opening chapter, to begin the account in chronological order, pictures the land in the making, a wood-and-prairie country greater in extent than England and with climate far more various, yet whose highest point is but twelve hundred feet above sea level. The history of rivers and coal beds and glaciers, and still more that of trees, fish, worms and gnats, is a difficult matter for the ordinary historian of men, but it is all presented with an eloquence and sureness that indicates the author's breadth of interest and intelligent employment of lieutenants, as well as valuable conversations with his colleagues at the university. When we conjure up to view an "Illinois inhabited by huge reptiles eighty feet long, by gigantic kangaroo-like saurians, by dragons flying on twenty-foot wings, and by innumerable crocodiles", we realize that in time limits the state historian is almost upon an equal footing with him who writes the story of the world. The author, in contrast to a recent world-historian, shows some reticence in his portrait of the primitive man, though he gives a clear account of what is known about the moundbuilders and their conquest by the Shawnee. Just as

> Greece, conquered Greece, her conquerors subdued
> And clownish Latium with her arts imbued,

so here the invaders took to building mounds and raising corn and making pots after the manner of their victims at Cahokia and elsewhere.

But the Shawnee and their fellow-Algonquins, the Illinois and the Miami, were not to rest in peace throughout the seventeenth century; already the scourge of the western tribes, the Iroquois brave, came like Attila driving the Mascoutins and Kickapoo out of the Michigan peninsulas and the Potawatomi from the Wisconsin valley, and finally the Illinois themselves were pushed beyond the Mississippi. When the French appeared along the rivers this tribe was already demoralized and scarcely more a warlike people. The queernesses of the Indian mind could not be fathomed by the European priests, yet on their testimony and the recent studies of the government's ethnologists, the author hazards his description of their common life.

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The French may have been accustomed at home to more refinements and greater cleanliness [he remarks], but in the wilderness they soon found it impossible to maintain standards much higher than those of the Indians; and in spite of a supposedly more enlightened religion, they were no more amiable, no more honest, no more generous and hospitable, no more loyal to their friends, than were the benighted children of the wilds. If in the course of contact with shrewd traders who befuddled them with a strange fiery liquor and reduced them from economic self-sufficiency to abject dependence, the Indians came to show themselves suspicious, treacherous, greedy, and oftentimes ill-natured and unreasonable, it is not a logical deduction to conclude that the dusky aborigines were an essentially inferior race who deserved nothing better than to be exterminated and driven from the land of their forbears.

But, as the old poet said, these be deep questions, my masters; there might be two opinions. Perhaps mere historians are not qualified to discuss the "great race" and all its privileges and patents.

The account of the discoveries by Jolliet and Marquette—note the spelling and especially the precedence of the trader's name—though clear and animated, does not profess to add a contribution to the scholar's learning, but the analysis of the elements in the western system of the French is very interesting. With the thinking done in far-away Quebec or Paris, the colony had policy, but not the individual, upon whom social and economic strength had really to depend. Frontenac desired to take the Mississippi valley by slow advance and closely licensed commerce; the priests and traders favored rapid extension to afford as many contacts with the savages as possible, but were themselves at odds on the question of the brandy trade. Frontenac could sympathize with the Jesuits' humane desire, but thought a limitation of the liquor would prove ruinous, believing, hard realist that he was, that Indian support would be won in a competition between Catholic brandy and Protestant rum; the latter was cheaper and quite as effective—"the English liquor made one drunk for a muskrat skin, the French, for a beaver" (p. 86). The dramatic story of LaSalle, the dreamer and diplomatist who could not lead men or keep books, is rehearsed with frequent reference to Margry's great collection of documents, which was accessible to Parkman only after the first ten editions of his work; but that of commercial policy depends to a considerable degree upon fresh material from the Archives Nationales. The author sees the first blow of the hundred years' war for the continent in the stroke by the Iroquois, egged on by the English in 1680.

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To picture clearly the contest between the French and English, the author needs a broad canvas. Almost simultaneously in 1671 appeared the pompous St. Lusson at Sault Ste. Marie to claim the west for Louis XIV, and Captain Thomas Batts and Robert Fallam on the Alleghany Front to set their stake for Charles II. Louisiana was established to forestall the English who were trading southward from the Tennessee and whose low-priced goods were penetrating to the Illinois. The French were never sure of their vassal Indians against the persuasions of the English agents, of which Cumming, Johnson, Croghan, Weiser and Post were the most successful. Is it significant, by the way, that while all these five were immigrants, not one was an Englishman? Looking from Kaskaskia we see a different facet of the treaties of Utrecht and Paris. Within the interval had come permanent French settlement on the American bottom beside the Mississippi, simple village communities with undivided land but with sharp distinctions between the social classes. The French officials here, obscure lieutenants on the lists of the Marine, were on the whole, the author thinks, superior in capacity and character to corresponding officeholders in the British colonial service. But their situations were quite different; the English functionaries looked with envy on the arbitrary power of the régime along the St. Lawrence and the Mississippi, while the governors at Quebec and New Orleans coveted no less the growing population of New England. Such had been the cost that France was not chagrined in 1763 at giving up America, but rather contemplated with some satisfaction the embarrassment that Canada would be to England. France had not learned the secret; experience in self-government saves colonies—and yet may lose them.

In discussing the Mississippi valley and British politics between this treaty and that of 1783, the author, of course, compacts the chronicle and argument of his two-volume work thus entitled, to which reference has been made, his comprehensive introductions to the published records of the French towns, and his various other publications; he resorts, as well, to the narrative and documents which have been presented by Professor C. E. Carter. It is a quickly moving story of intrigues and heroisms, of speculators scheming in Philadelphia and in London for great grants of land, of stultifying quarrels among the English ministers as to a western policy, of brave leaders like George Rogers Clark battling through the wilderness and disappointed at Virginia's indifference, of the civil government which the energetic young John Todd struggled to maintain despite

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the machinations of land companies and the great reluctance of *habitants* to pay their taxes, and of scoundrels like John Dodge and Thomas Bentley, of whose double perfidy in betraying the weakness of the towns to each side in turn, the author is now convinced. The authority of America dwindled down to nothing, but Americans made money. "These men of the border succeeded where their more conventional French neighbors, still limited by many civil and ecclesiastical prohibitions on personal liberty, had failed" (p. 339).

When the peace was made there were many in New England who were anxious to yield the ultramontane region so that a better case could be made out for fishing rights along the banks of Newfoundland, and this was, of course, in close accord with French and Spanish policy. But "the statesmen of Great Britain made no effort to secure the territory that their foes seemed so anxious to grant them. Instead, the negotiations concerning the boundaries proceeded along most unexpected lines" (p. 355). The Earl of Shelburne thought it dangerous to cramp the new republic which he recognized, knowing well the trouble that would come from clashing traders and backwoodsmen, and in consequence renounced to Franklin the country of the Illinois even before Jay and Adams came to Paris. Evidently Lord Shelburne along with George Washington and Sir William Howe should be remembered among those to whom we owe so much in making possible the United States of 1783. Most British politicians were not as wise or generous; shortly after the preliminary treaty it was understood in London that some excuses would be found to hold the western posts and with them the fur trade of that country, but, though they gave the savages arms and powder, and their presence there proved deeply irritating to Americans, the author believes the secret correspondence proves that "the representatives of the empire kept within the limits of international practice in their dealings with the Indian tribes dwelling within the United States territory" (p. 402).[1] Though they left the posts in 1796, their negotiators some twenty years later at Ghent came prepared to make

[1] It is strange that no citation is made in note or bibliography to A. C. McLaughlin's "Western Posts and the British Debts" (American Historical Association *Reports*, 1894, pp. 413-444), which is considered the standard treatise on this subject, and with whose conclusion the author seems to be in accord. Was it well, also, to neglect entirely R. L. Schuyler's *Transition in Illinois from British to American Government* (N. Y., 1909), especially chapters one and seven? In this bibliography there are some misprints, *e. g.* the names of Edward McCrady and James Breck Perkins are misspelled.

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the diplomatic contest turn upon the disposition of the west; Shelburne's "error" would have been corrected, had not the English been confronted with negotiators of great firmness and ability.

In the administration of the western claims and holdings, Professor Alvord observes, "The moribund continental congress appears to have been a mere plaything in the hands of the financial leaders of America" (p. 393). Maryland was encouraged by numerous speculators in Pennsylvania, New Jersey and the south to pronounce her ultimatum calling for the cession of their land claims by the states, but New England's dread of western growth was not sufficiently diminished until the formation of the Ohio Company within its midst. Stories of mosquitoes, the myth of infertility of prairie land, the uncertainty as to land titles, the fear of the savages, and the distance to be traveled, deterred the American settlement of Illinois, and those who came were not the best exemplars of American civilization. It was not until the outcome of the War of 1812 had convinced the Indians that their fight was hopeless, that the Illinois country began to fill with settlers.

It is here that Professor Buck takes up the narrative although there is a long pause for a broad "still picture", as the cinema man would say, of Illinois at the time when it became a state. His lens is trained first on the Indians, the tribal groupings and their distribution, and their state of culture as described by the observers of the day. From the studies of Chittenden and others, and from official records and private letters, he gives a brief and readable account of the fur trade at the time when Astor had begun his American Fur Company with its French and English *engagés* and, like the smaller licensed traders, was able easily to out-compete the government factories. He enters then upon the mazy problem of the public lands. The Indian title quashed to a large extent by 1803, the government had begun surveys along meridian and base lines, but retained the huge triangle between the Mississippi and the Illinois as bounty lands for soldiers, though few of these resisted the temptation to sell their rights to speculators. The author's lucid exposition informs the uninstructed of the method of acquiring plots, and the map, compiled from archives at Washington and Springfield, reveals the taste of purchasers for land along the streams, especially along the three great border rivers, from the point where the Missouri joins the Mississippi around to where the Wabash leaves its native Indiana. To prepare his excellent description of the pioneers and their settlement it is obvious that Professor Buck has made his way with in-

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dustry and critical acumen through the baffling jungle of travelers' records and county histories which he mapped out in his bibliography published some years before. With minute precision yet with a touch of the dramatic he points out the stage reached by 1818 of that "comparatively orderly progress, like the advance of multitudinous chessmen across a gigantic board". The light-hearted, nimble-footed *habitants,* closely settled in their towns, numbered scarcely more than fifteen hundred; of the thirty-five or forty thousand others, two-thirds had come from the south with the remainder halved between the north and foreign countries. But the southerners were really westerners, coming as they did from the upland regions and of a class in which sons seldom died as far east as their fathers. By laboriously listing heads of families, calling genealogy to the aid of sound science, and matching with the testimony of contemporary travelers, he builds his generalizations upon a broad foundation. Is this not a brilliant instance of the modern method of the historians of the masses? One group cannot be docketed and tabled with the others—the English families in Gallatin County, recently arrived in 1817. Their leaders, Morris Birkbeck and George Flower, with a not unnatural mixture of philanthropy and vain ambition, sought to reproduce on Boltonhouse Prairie the old familiar countryside, but with themselves as uncommonly benevolent manor-lords and the others as uncommonly happy tenantry.

The terrors of the trace or open road beset with cutthroats, the daily round of farming when ninety-nine men in a hundred got their living from the soil, the versatile and heavy rôle of the woman of the cabin, the neighborly cooperation, the state of health, education, literary culture, religious organization and belief—with the data of such subjects, skilfully extracted from a wide variety of sources, Professor Buck builds out, not an album of small studies, but a rounded picture. This sense of composition distinguishes the author from most of those who have tried to write the story of the people, though in all the volumes of the work social history is adequately emphasized. But he is almost equally successful in the record of the struggle for a constitution, which takes up the last half of his volume. In this one does see some influence of the social and economic interests of the people, but except upon the slavery question, the factional groupings in the territorial politics were mostly on lines of personal preference — whether one's friends did or did not get smiles and offices from Harrison, the governor while Illinois was still joined to Indiana, or from Ninian Edwards, appointed to that post for the western region when the division was made in 1809.

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In his story of the campaign for a convention and the legal controversies of the pioneers in session, the author employs the meager material to full value and no more. That Illinois opinion was sharply split upon the subject of slavery is known to everyone, but the connection of the controversy with the Missouri question is not widely understood. Professor Buck sets forth that the advocates of slavery complained that the more prosperous southern immigrants, those with slaves, passed through Illinois for the more habitable land beyond the Mississippi; the antislavery men, who increased more rapidly after 1815, desired to get a free-state constitution before the admittance of their western neighbor, fearing that example. It was the latter, he finds, that were earliest behind the movement for full statehood, while their opponents urged delay. The antislavery arguments as published in the single newspaper by such men as Edward Coles, later the governor, and Morris Birkbeck, had their effect; but when the delegates met in the convention, a small majority, while willing to make Illinois ultimately free and to wipe out the territorial indenture system for the future, agreed not to interfere seriously with the existing property rights in owned or hired slaves or in indented servants. When the constitution came to Congress it was Tallmadge of New York who challenged it in the debate and drew about him thirty-four representatives from the section north of Maryland in an unsuccessful effort to defeat it. It was the contest over Illinois, seeming now like an overture of the more celebrated passage of the next two years, which revealed the antislavery *bloc.*

Professor Pease who chronicles the first thirty years of statehood gives ample space to the discussion of the settlement and socializing of the rude frontier immigration, which continued to come chiefly from the south throughout the first half of his period. The preference seemed still to be for river woodland, though the advertisement of the prairie and the methods of its agriculture set forth by Morris Birkbeck and George Flower had begun to have effect. Horse-thieves, counterfeiters, bandits, gamblers, kidnappers of negroes, were forces matched against the hard-working settlers, the missionaries and able men of generous ambition, like Governors Edward Coles and Thomas Ford, who represented the tradition of civilization. The ministers took a hand in politics; J. M. Peck (p. 81), William C. Kinney (p. 130 *et seq.*), Zadoc Casey (pp. 131, 245 *et al.*) and Peter Cartright (pp. 28-29, 149) all played their parts, though there were religious controversies to occupy the larger part of their atten-

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tion, such as whether a learned ministry was safe and Sunday schools were of any use when God had saved and damned the proper portions of the race so long ago. The Methodists made best headway, in part because of their elastic system of the circuits. Dr. Pease is a dexterous writer but he cannot hold attention for his circumstantial record of political campaigns in Illinois a hundred years ago; they seem like what Hume called the wars of the Saxon princes, "the scuffling of kites and crows". The characters are neatly limned but none is big enough to enlist the sympathy or add a consequence to his adventures. It is the author's misfortune that there never was a Federalist party in Illinois whose vestiges, surprised in one camp or another, might supply some hint of implication whereby the factions might be tagged as to political philosophy. Ambition supplied the motive for leadership and loyalty the principle of adhesion. In general, it seems that anyone who sought to "interpret" the alignments would soon weary of his task. Only the slavery question, which would not down, land policy and internal improvements, supplied issues of some dignity. The Whigs, it is interesting to note, were for a time the friends of slavery and the foes of public works. In his chapters on finance and banking the author gives the impression of confusion, which was probably his purpose.

The story of the two "wars" of the period—against forlorn Black Hawk and against the Mormons of Nauvoo—picturesque, dramatic as they are in the telling, show how the individualism of the frontier could produce intolerance. Both episodes have been subjects of recent monographic treatment, but the author, according to his wont, has cut under to the testimony of participants and witnesses and constructs a fresh, authentic narrative. As to the former enterprise, if we forget the little band of Indians, there is a tone of farce; the citizens, "starving for incident, heard in the call to arms a promise of a frolic more venturesome than a wolf hunt. . . . They themselves were unconscious of the tremendous psychic hold the savage had established over them in the form of a fear, which in the face of a threatened reverse would stampede them in frantic hysteria" (p. 160). He does not palliate the violence and greed of those who pillaged the Saints, but says that it must be admitted "that they saw clearly how terrible an excrescence on the political body of the state the Mormon community would be, ere it attained full growth" (p. 362). The treatment of the constitutional convention of 1847 is unexpectedly compendious; it would seem that the thousand pages

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of debates as published[1] would have supplied material for more than three pages here. In his survey of social, educational and religious advance he shows again his breadth and his originality; for example, not everyone would look for differences as to the type of fiction, poetry and art criticism between Democratic and Whig newspapers. As a wise and careful critic of the frontier state he writes with sympathy and a sense that men in Illinois are somewhat like men in other places; as to Alvord, John Dodge in Kaskaskia is a typical Greek tyrant, so to Pease, Morris Birkbeck writing his "Jonathan Freeman" letters is Dean Swift and the abolitionist martyr Elijah Lovejoy is Ibsen's Brand.

By the middle of the century, when Professor Cole begins his volume, Illinois had caught up with the nation. It surpassed all other states in railroad-building and soon in wheat production; its metropolis now wore an urban aspect; its people had reached a state of composition which was to last for many years. The original southern stock went their old way down in "Egypt" and the neighborhood; Yankees from New England and New York built schoolhouses and factories in the north; idealistic Germans brought books and song as well as beer to Bellville, Alton and Peoria; hearty Irishmen foregathered in Chicago or had to take up land in payment for their work on the canal. Illinois was entering upon a railroad era in which the partisans of Chicago at first successfully competed for franchises and capital with those who sought connection with St. Louis. However, when the latter was finally effected, it must have had political consequences in its contact with the east which the author has not indicated. Douglas, who commands the author's admiration for his judgment and his courage in promoting the Illinois Central, secured a handsome land grant from the national government. The battle of contending lobbyists at Springfield, the triumphs and defeats of towns who sought facilities of transportation, the introduction of farm machinery and its effect on farming and the homestead movement, are vividly set forth. But the reader soon discovers that these matters in Illinois had a national significance.

The author makes a contribution to the history of the Kansas-Nebraska Act in distinguishing between the daily and the weekly issues of a newspaper and thus revealing that Senator Douglas had

[1] A. C. Cole, editor, *The Constitutional Debates of 1847*, Collections of the Illinois State Historical Library, vol. XIV; Constitutional Series, volume II (Springfield, 1919).

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informed the editor of the *Illinois State Register* of his policy before any bill was introduced, and depreciating not a little the theory that he was a mere agent late engaged by others to present their plan (pp. 113-116). By his stroke, however, Douglas lost the Germans and in them his safe majority at home, with all that meant to himself and to the United States. The chapter on the origin of the Republican party, written from the newspapers and manuscripts, is valuable in showing the part played by the various Democrats and Whigs who joined, and particularly for the light thrown by the Trumbull papers. The local history brings solution to many puzzling problems; for example, Douglas doubtless had in mind his home constituency when he shifted to his aggressive anti-Lecompton ground (pp. 173-175). The campaign of 1860, with the two chief candidates from Illinois, is of course presented with picturesque detail. The followers of Lincoln though they made objection to the tariff plank, carried on their fight with great enthusiasm. "The talent of the Democratic party had to a large extent been transferred to the Republican organization. . . . Realizing this, the little giant broke all traditions and entered the hustings in person, much to the disgust of his Republican opponents"—but all in vain.

The title of this book is *The Era of the Civil War* but no attempt is made to follow Illinois regiments through southern battlefields; the bitter strifes at home supply sufficient theme. The story of recruiting when "Egypt" talked secession and the north surpassed its quota, shows that the choice of Lincoln had converted the central counties to his cause. After the first year the issue was "liberty *vs.* Lincolnism" among the Democrats, and "firmness *vs.* Lincolnism" among the Republicans; the state seemed singularly rent between the abolitionists and copperheads. Governor Yates rose with glorious courage to meet the crisis of 1863 and supported the dictatorship of the President, wishing that it might be stronger. In his party there were few enthusiastic Lincoln men, but who was more available? The victories of Farragut and Sherman turned the tide in Illinois as elsewhere.

Peace brought new problems in its train. The increase of population during war-time, the rise and fall in the prosperity of the farmers, the industrial revolution somewhat hastened by stimulation of war needs and prices, the rise of sport and the development of taste—all these receive intelligent and adequate attention, taking up four times the number of pages given to the military politicians and the spoilsmen of the later sixties, whose behavior would have been

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the exclusive theme of historians trained in an older school. The style throughout the book is lively and engaging,[1] but the author has allowed himself no flights of fancy; almost every statement is buttressed by close documentation, especially from newspapers.

To Professor Thompson fall the early years of industrial Illinois and the recovery of idealism long buried under the aftermath of war. In the constitutional convention of 1847 the farmers had been masters by a large majority; now in its successor of 1870 the lawyers outnumbered all others almost two to one, and it must be said that their product proved more serviceable and permanent. A broadened view of public law was evidenced in the provision for control of railroad rates, and a partial remedy for the pernicious sectionalism, with which the state was cursed, was found in the cumulative vote, to give expression to minorities. The farmers of Illinois were not beguiled by Liberal Republicanism; their interest was in economic, not political, reform, and they were astonished at the curious futility of naming the high-tariff editor of the *New York Tribune*. Their experiments with laws and parties and cooperative agencies, their unstable partnership with industrial labor, are recounted with dramatic interest more easily attainable within the narrow compass of state history than in national. From the McCormick manuscripts, not previously used, there comes a vivid story of party methods in 1876; the Democratic party, which had fed on miscellaneous discontents, now with the return of the southern states was sobered by the prospect of success and in Illinois as elsewhere took on an air of responsibility. The author's chapters on the Republican machine reveal the fascination of the great American game of organizing popular majorities. Strong hearts were necessary in the deadlock of 1885 which so long suspended certainty as to John A. Logan's third election to the Senate.

But new forces and new issues were emerging; it was realized in Illinois that the generals and the copperheads were out of date and that farmers were not the only class that had a grievance and a voice.[2]

[1] It is at times, in the reviewer's opinion, a bit too lively, *e. g.*, such expressions as giving a resolution the "go by" (p. 107), "to keep mum" (p. 110), "an effective comeback" (p. 169), "the fair weather brigade" (p. 178), "the *Mt. Carmel Register* took the Lincoln train" (p. 201, note), the legislature "cared little for the advice handed out to it" (p. 415), etc. This may be a question of personal taste.

[2] The chapter on "New Forces Astir" is attributed for the most part to Mrs. Agnes W. Dennis. H. B. Fuller and Mrs. N. O. Barrett also contribute chapters to this book.

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The "impractical demands of labor—demands for shorter hours, for safety devices, for employers' liability, for the limitation of child labor, for the right of organization" — now the safe achievements of the past, were then regarded by the press as wild fantasies of aliens in Chicago. The principles of union labor and the principles of Mr. Cyrus Hall McCormick came into conflict; scabs, Pinkertons, parades, anarchist philosophy, a bewildered mayor, the Haymarket riot, the public cry for victims, the four men hung — such was the tragic sequence. The militant farmers and the laborers founded political associations and in the early nineties, joining with the Democrats, sent John M. Palmer to the Senate and John P. Altgeld to the governor's chair to show the courage and the fate of those who do unpopular justice.

The economic historian appears with a fanfare of figures, but Professor Bogart proves that the history of plows and cheese, wheat prices and bank reserves, can be made as interesting as that of party struggles. To see the panic of 1873 from the viewpoint of Chicago is in itself illuminating. How rivers and canals and especially the Great Lakes, as potential thoroughfares of transportation, have kept down railroad rates, how Chicago lost the lumber trade but produced great quantities of farm machinery and with her system of commercial travelers competed with the eastern jobbers, how level land was drained with tile, how roads were built on stoneless prairies, how Illinois by gaining population lost its wheat, how by importing a first-grade coal and coking it with heat from the poor coal from the state, the gas as well as coke was saved to industry—this is a story of how man has made possible a larger life. That the larger life was not more largely shared resulted in the protest of the Socialists who armed and trained their soldiers for the coming class war, while many less extreme sought benefit in politics or in trade unions. It is pleasant to observe how much the university professors have accomplished no less for farming than for the intricate processes of the mills; the milk tests, the economy of feeding "baby beef", the best scheme of road construction, the superiority of shallow cultivation, and the recipe for permanent fertility, have all been worked out in their laboratories.[1] The intelligence and adaptability of the Illinois farmer is illustrated by his turn to hay and oats when the European war began. But farming has become a scientific business in

[1] Bogart and Thompson, *op. cit.*, pp. 236, 253; Bogart and Matthews, *op. cit.*, pp. 67, 82, 147. The milk-test was developed by Professor Babcock of Wisconsin, but the others by the staff of the University of Illinois.

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Illinois and, with an average investment of more than $20,000, a capitalistic business, so much so that tenant-farming has been rapidly increasing.

Professor Bogart had a task of great complexity to chronicle the widely varied and continually changing economic life of the last half-century in Illinois. The impression is not exactly clear and the reader wonders if less data might not have been more informing, but on reflection he withdraws his protest; a didactic narrative would have been more comfortable, but it would have been a poorer picture of that colorful *mélange* we know as modern American life. At any rate, he has the historian's sense of cause and effect and has constantly in mind the element of social evolution. This cannot be said of Professor Mathews, who presents an elaborate and valuable account of the public law and practice of the state today. Perhaps we are too tender of the hopes and hurts of yesterday to write or read their record with detachment—for example, a setting forth of William Lorimer's political career undoubtedly would lose some necessary friends of an enterprise supported by state money—or perhaps the evidence is not all in as yet, and the commentary on the trend of things belongs more in the field of journalism.

However, that a contribution can be made to very recent history by one historically minded, is brilliantly illustrated by Professor Cole's chapter, which concludes the work, on "Illinois and the Great War". A considerable portion of the people of that state, many of them conspicuous for probity and talent, opposed a war with Germany, and these this author treats apparently with sympathy but not approval. The patrioteers and profiteers and the I. W. W. and William H. Thompson are dispassionately reviewed, but the author's concern is chiefly with how the common people went to war.

Illinois was, from the point of view of international relations, the most important state in the Mississippi valley—in the opinion of many the most important state in the Union. The sturdy war governor interpreted the rôle to the political authorities through the state and to the state council of defense; and these forces in turn cooperated in carrying the message to the people of this typical American commonwealth. To this appeal the citizenry of Illinois responded with a growing enthusiasm and achieved a record befitting the keystone state of the middle west.

To conceive ten years ago the centennial celebration of Illinois was indeed becoming in its citizens, but to develop it in war time and execute it in the critical summer of 1918 was heroically courageous. Underneath it all there was a note of earnestness and dedication. Its

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pageantry combined unusual beauty with instruction; its great meetings were occasions of dignity and inspiration;[1] its memorial building will afford a safe and permanent depository for the public records; and its published history, as perhaps it has been shown, is an achievement without precedent.

The great American novel is still unwritten, but as the present writer turns the last page of this history he feels that he has found a tolerable substitute. Recent exponents of social theory reiterate that the state is only one expression of our human interest and will, and that most history gives a distorted picture in its emphasis upon that single institution. This criticism, valid or invalid, will not be urged against this work, for almost half its pages are devoted to activities outside of politics. It is as important in the human story to know that shortly after 1876 the piano triumphed over the melodeon, as to know that Hayes was seated in the place of Tilden. The foraging instinct of these authors is revealed, to give but one example, in examining the mail-order catalogues to learn the taste of farmers in the eighties. Mr. H. B. Fuller's special chapters on the development of modern arts and letters are no less eloquent recitals than keen critiques, and yet they seem quite congruous to the general spirit of the history. Indeed, one wonders at the evenness of style, animated and engaging, but not cheap or flippant, the achievement coming to the reader as a labor of love carefully wrought. Illinois may be proud of having servants of this attitude and competence, and the pensive scholar wonders why already she has let three of their little number leave her rolls. In their notes, maps,[2] indexes and bibliographies they are generally adequate and helpful, and in method they meet the tests of modern seminars; in the effective use of newspapers, especially by Professor Cole, the volumes are, at least in the judgment of one reader, unrivaled in American historiography. It is a great work finely done, proving, as the celebration posters blazoned forth, that

"Not without thy wondrous story,
Can be writ the Nation's glory,
ILLINOIS."

DIXON RYAN FOX.

COLUMBIA UNIVERSITY.

[1] The proceedings were elaborately reported. Sometimes it seemed too much so; for example, Professor Allen Johnson can compare the editions of his address as they appeared in the *Transactions of the Illinois State Historical Society,* in the *Journal of the Illinois State Historical Society,* and in the *Report of the Centennial Commission.*

[2] There are imperfections in the statistical maps facing page 384, in Pease's *Frontier State,* and pages 133 and 178 in Cole's *Era of the Civil War.*

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REVIEWS

The New World Problems in Political Geography. By ISAIAH BOWMAN. Yonkers-on-Hudson, The World Book Company, 1921. —vii, 632 pp.

The history of the American people during the nineteenth century is a history of a people whose great political problems were primarily domestic and not foreign. The attention of our people was devoted to national expansion westwards, to the development of the natural resources of their great country, and to the complications that arose from those movements. Geography and history combined to prevent the growth of an interest in foreign affairs, and down to the Great War it is fair to say that intelligent Americans were less familiar with international relations generally and with the background of the War in particular than were intelligent people in European countries. Moreover there was not much literature in compact form in English from which they might get enlightenment. The Great War made a great change in this respect. Americans became intensely interested in European international relations, and in 1917 Leon Dominian published *The Frontiers of Language and Nationality in Europe,* which received a cordial welcome in the QUARTERLY from the writer of this review. Though confined to Europe and treating only of ethnic and political questions, it was a great boon to the American student. But the changes in boundaries, constitutions, and social systems resulting from the War and the Treaty of Versailles have been so numerous and startling that Dominian's book is already out of date. The professor of political science, giving a course on international relations—and what first-class college is today without such a course?—has up to the present been unsupplied with a work that could be used as a textbook. That void has now been filled by Dr. Bowman's splendid work.

The enthusiasm of the reviewer grew as he read the book. The extent of the ground covered is enormous and yet it is covered fully and accurately. The attention of all earnest Americans is given just now to the Washington Conference. They cannot do better than read chapters xxxi and xxxii of this work on the Far East and the Pacific Realm. In them they will find every aspect of the Far

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Eastern problem, political, social, economic, treated fully and accurately and with unusual fairness. Their reading, moreover, will be clarified by the study of the remarkable series of maps accompanying the chapters. It may be that the reader is more interested in the problems of the Near East. If so, he has but to turn to chapters xxiv to xxvii to study its geographical setting, its historical background, its racial complexity, the national rivalries pertaining to it, and the treaty of Sèvres which has not solved it. The wealth of material presented upon such questions as the capitulations, the Caliphate, the Ottoman public debt, the conflicting interests of France and Great Britain in the Near East, will impress him with the great intricacy of the problem and with the instability of the present situation. The reviewer has selected these two problems to illustrate the value of this fine work simply because they are so much to the front at the present time. He might just as well have illustrated it from Central Europe or South Africa.

Dr. Bowman is one of the foremost American authorities in the field of geography. No one is better qualified to speak upon the influence of geography in the development and solution of political problems. He was, moreover, one of the most influential American experts at the Paris Peace Conference and had opportunity to become familiar with the attitudes of the different powers upon the difficult international problems that confronted the Conference. This wealth of knowledge is combined with fairness of judgment in a way to make this book a remarkable contribution to scholarship and to place not only scholars but every intelligent American who wishes to know the fundamentals of the crucial international problems that confront men in these troubled days, under a debt of gratitude to the author.

Stephen P. Duggan.

The Institute of International Education.

The Truth about the Treaty. By André Tardieu. Indianapolis, The Bobbs-Merrill Company, 1921.—473 pp.

This is a book about the Treaty of Versailles which is likely to last as long as the treaty itself, and even longer, for, while all treaties in the course of time pass into the limbo of things discarded or outworn, their history will be forever studied, especially when as notable as this, and any book that throws light upon their elaboration will be prized by generations of grateful historians as the purest treasure trove. M. Tardieu, having been a figure in history at a climacteric

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moment, will, it may be stated with positive assurance, inevitably become a standing permanent footnote of history. Testimony as important as his will always be respectfully considered by the chroniclers of the future. He has entered into that truest hall of fame, the scholar's bibliography. This is how men, nowadays, most surely eternize themselves.

The making of the Treaty of Versailles was conducted under the gaze, benevolent or malevolent, of a cloud of witnesses. The Conference of Paris brought together a mammoth aggregation of people who were willing, even anxious, to help in setting up this colossal milestone on the long and rocky trail of history. There were, of course, many disappointments and many who were disposed to be architects were, as a matter of fact, only spectators, or even mere snappers-up of unconsidered trifles of gossip or innuendo. Of the spectators, many saw what was going on as through a glass darkly. Many of these architects and spectators and scavengers of scandal have already told us what they did or saw or heard, and all those who have not yet done so, will inevitably do so at their earliest convenience. The lengthening literature already has some items that are quite worth while. In this class Tardieu's book stands out preeminent.

Not that it, any more than the others, is a work of objective historical scholarship. We have not reached that point yet. Over much of this literature hangs the blight, more or less deadly as the case may be, of special pleading, of apologia for one's self or one's country or one's chieftain. But there are high-class special pleaders and there are those of a low class, as well as those of one lower still. M. Tardieu, needless to say to anyone who knows anything about him, belongs to the first category. He is an extraordinarily able defender of the Treaty of Versailles. One does not know which to admire the more, his ability as an expositor or his argumentative power. So clear and orderly is his narrative that we see the treaty visibly grow and take its shape under our very eyes; we see the play of personality and circumstance, creating recurrent crises and apparently insurmountable difficulties that were, however, surmounted in the end; we see, and for this we thank our stars, no attempt at rhetoric and no cheap denunciation or unsupported disparagement of others, such as, for instance, disfigures Keynes's book and makes it popular with the smart and superficial who cannot tell tinsel from gold; we see, finally, no distortion or suppression of evidence, but only its vigorous examination and analysis.

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This book is packed with information and argument from cover to cover. There is no padding here, nothing superfluous or repetitious, but every page carries a fact, a piece of inside information, an opinion, a portrait of a man, or a description of a scene, all marshalled with such skill, all presented in so simple and direct a manner, that the cumulative force of the narrative is very great. One who does not admire the workmanship must be a poor workman himself.

This does not, of course, mean that the reader is bound to follow the author in all his arguments or conclusions. M. Tardieu gives us many statements and documents which we are in no position to control, the conference not having erred on the side of liberality in the publication of its proceedings. He gives certain personal appreciations or estimates from which the reviewer at least would dissent. But his book is not a book you are at liberty to reject because you dislike Clemenceau and consider Tardieu Clemenceau's man. Tardieu is no man's man, but he is an extremely capable and experienced individual quite able to take care of himself in debate. There is no easy way of getting around his book. The only way is to undermine it by better evidence and stronger arguments than his, and before you accomplish that, you will know what a rude campaign is like. For Tardieu is not a master of the loose word but of the weighty and the well-considered; and journalese denunciation will not remove him from the scene or wither him away.

Moreover, while he does not purr over his ideals in season and out, as we Americans are apt to do over ours, insisting on their being very vocal, nevertheless he has them, and very respectable ones at that, as we who are by our own admission the world's great connoisseurs in ideals must recognize, if we read this remarkable book with attentiveness and discernment.

CHARLES DOWNER HAZEN.

Queen Victoria. By LYTTON STRACHEY. New York, Harcourt, Brace and Company, 1921.—434 pp.

This enchanting volume is not a history of the Victorian age but the portraiture of a woman. The important events of England's history from the premiership of Lord Melbourne to the close of the nineteenth century serve only as an inconspicuous background against which the figures of the Queen, her husband, and her ministers stand out in sharp relief. It is another volume of "eminent

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Victorians" that Mr. Strachey has given us. And the same wizardry of delineation that made Cardinal Manning and Thomas Arnold almost step out of the pages of the earlier book in flesh and blood (like the legendary Highlanders who step out of their frames on the castle walls) here depicts to the life the personages, from Lehzen and the Duchess of Kent, through Melbourne, Albert, Palmerston and Disraeli, to the slavish devotion of that tyrant-toper John Brown, whose successive influences shaped the Queen's will. Strachey's work is pure art. The elementary ingredients—voluminous state papers, memoirs, biographies, journals, articles—never obtrude. They are all distilled, by the skilful alchemy of the spirit, into a narrative as fresh and distinctive as some delicious perfume, with no trace of the odor of coal tar, acids, or the heavy atmosphere of the laboratory.

Charm of style, like every other charm, is indefinable. It is something which one either has or has not. Mr. Strachey has it in abounding measure. His readers turn page after page with the never disappointed anticipation of literary gratifications to come; the subtle phrase, the arresting adjective, the sudden amazing juxtaposition of incongruities, the delicious humor, the eloquent reticences, the inimitable characterizations. Mr. Strachey is like the clever artist who gives you a whole personality, almost to the particular shade of religious faith, with a half a dozen strokes of the pencil. What more do we need to complete the picture of King William IV than "the bursting, bubbling old gentleman with quarter-deck gestures, round rolling eyes, and a head like a pineapple", and "a tongue of rattling indomitability and loud indiscreetness"! And Mr. Gladstone, who "spoke to the Queen as if she were a public meeting" and "viewed her through a haze of awe which was almost religious—a sacrosanct embodiment of venerable traditions—a vital element in the British Constitution—a Queen by Act of Parliament"—is he not before us in all the solemnity befitting the champion of mid-Victorian Liberalism!

Irony has been defined as "seriousness without solemnity". Mr. Strachey pierces the pomp and circumstance surrounding the Victorian figures with an inexorable clairvoyance of common sense. At times one is tempted to think that his irony has lost even its seriousness and become a little malicious. No one escapes his sarcastic shafts, from the "nasty old uncles" at the beginning of the book to the parenetic "cottagers at Balmoral" at its end. Melbourne's worried *insouciance,* Palmerston's precipitate confidence, and above all Disraeli's oily chivalry, are set forth in inimitable style. There is

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admiration for the life-long consistency of Baron Stockmar in trying to stem the tide of democracy in England, a dry appreciation of Prince Albert's encouragement of industry public and private, and recognition of the laudable attempts of the Liberals in the 'seventies to put through various reforms. But in general Mr. Strachey, like most men of keen humor and wide circumspicuity, chooses to observe and comment rather than to pronounce judgments or urge theories.

Some critics of the book have maintained that Mr. Strachey gives Prince Albert, for the first time, his due place in the policies of the reign. It is true that Albert bulks large in the narrative, only about one-fourth of the book being devoted to the period after his death. It is true also that his influence over the Queen replaced that of her ministers soon after the royal marriage, and remained potent long after his death. Nevertheless, to the reviewer Mr. Strachey seems to attribute little political power to Albert, "*proprio vigore*". Behind Albert was Stockmar. The Prince Consort was the mouthpiece of the German Baron. He was always a foreigner. In twenty years of undisputed ascendancy over the Queen he failed to deflect the English government seriously from its trend toward democracy. Mr. Strachey conjectures (in the sole passage in which he indulges in prophecy) that if Albert had lived twenty years longer "an attempt might have been made to convert England into a State as exactly organized, as elaborately trained, as efficiently equipped, and as autocratically controlled as Prussia herself. Then perhaps, eventually, under some powerful leader—a Gladstone or a Bright—the democratic forces in the country might have rallied together, and a struggle might have followed in which the Monarchy would have been shaken to its foundations" (p. 299). It is possible, of course, but highly improbable, that any such thing could have happened in the England of the generation following the Reform Bill, the England of the actual heyday of Liberalism. The unavailing efforts of the Queen herself to get her people to appraise her "dear Albert" at his true value show how little likely he was to "convert" England to any other kind of state than that which she was growing to be in the give-and-take of Parliamentary party government. Queen Victoria was the faithful executrix of her husband's political will and testament in every particular, and yet, even with the increasing popularity which age and dignity brought, she was unable to stem the steady tide of ministerial encroachment on the prerogative of the crown. The prestige of the sovereign increased, but the power of the sovereign waned. "Paradoxically enough", says Strachey him-

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self, "Victoria received the highest eulogiums for assenting to a political evolution which, had she completely realized its import, would have filled her with supreme displeasure" (p. 441).

When one asks, what, in fine, is Mr. Strachey's opinion of the Queen as a ruler and a woman, one finds it difficult to answer in a word. A frankness sometimes almost brutal reveals her limitations of intellect, her unschooled will, her constant intrusion of personal exactions and antipathies into the established rules of the Parliamentary game, her superabundant emotionalism, gushing at seventeen over various sets of "dear, dear cousins", and insisting at eighty that her "dear Albert's" clothing should be laid out on his bed every morning and his basin filled with fresh water, as though he had not been dead for forty years. An irony sometimes almost cruel exposes the Queen's hopeless mid-Victorianism: her "solid, laborious respectability", her platitudinous, conventional religiosity, her voluble tasteless rhetoric (she once spoke of her uncle Leopold as "one of the first politicians now extant"—as if he were a species of elk!), and even her sorry appearance "in garish middle-class garments", with "her face turned red in the heat" and her "purple pork-pie hat of last year's fashion", by the side of her visitor, the Empress Eugénie, who, "cool and modish, floated in an infinitude of flounces" (p. 273).

Yet Mr. Strachey really esteems this Queen with her "fat capable hands". At the end the sunlight gloriously bursts through the clouds of qualification and innuendo which drift through the book. As the author joins the magnificent procession of the Diamond Jubilee in 1897, tears of grateful satisfaction well in his eyes, too. "Duty, conscience, morality—yes! in the light of those high beacons the Queen had always lived. She had passed her days in work and not in pleasure — in public responsibilities and family cares. The standard of solid virtue which had been set up so long ago amid the domestic happiness of Osborne had never been lowered for an instant. . . . The girl, the wife, the aged woman were the same: vitality, conscientiousness, pride, and simplicity were hers to the latest hour" (pp. 415, 419). The closing obituary is a prose poem of surpassing and pathetic beauty, reviewing a life as justly free from reproach or regret as that of any mortal who has worn a crown.

DAVID S. MUZZEY.

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The Pageant of Parliament. By Michael MacDonagh. New York, E. P. Dutton and Company, 1921. — Two volumes: 252; 241 pp.

It is said that when the distinguished authority on the English constitution, Sir William Anson, took his seat in the House of Commons for the first time an old M. P. remarked: "Well, he will find it a very different place from what he thought it was." There is no lack of formal treatises on Parliament, but they throw little light on its human side. They describe it as an institution rather than as an assembly of men; they tell us much of its procedure and history, but little of its members — of their ideals, sympathies, ambitions, prejudices. Thirty-five years' observation of Parliament from the Reporters' Gallery is Mr. MacDonagh's principal qualification for the task that he has undertaken, and in his very readable volumes he has drawn a picture different from that to be found in the writings of May or Anson or Ilbert or Lowell. In tracing the career of a Parliament from its election to its dissolution he necessarily tells us much of its rules and procedure, but it is his portrayal of its human side that gives most value as well as most originality to what he has written. He knows how to enliven his descriptions and drive home his statements by apt anecdotes. What a vivid impression of the physical strain of a budget speech one gets, when he learns that in introducing his budgets Gladstone fortified himself with sherry and egg, Disraeli with brandy and soda, and Goschen with port!

Though his book is in no sense controversial, the author is an avowed believer in parliamentary institutions and is confident that the Mother of Parliaments will endure. The only substitute that he sees for the ballot-box is the match-box, the symbol of Revolution and, "with the aid of a tin of petrol", its instrument. He reminds us that the hostile critic of Parliament is no new phenomenon, that in almost every period of Parliament's history there have been men to assert that it was declining and to predict its downfall. An atmosphere of optimism pervades Mr. MacDonagh's book. Never, in his opinion, were the foundations of Parliament better laid than at present, "broad-based as they are on electoral comprehensiveness and the people's will"; with the extension of the franchise elections have become purer, thanks principally to "the sturdy pride and self-respect of the new electors"; it is now generally agreed that in electioneering "it is better to count heads than to break them"; the main reason why men seek seats in Parliament is "a genuine desire

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to serve the State and promote the well-being and happiness of the community". Mr. MacDonagh does not claim absolute perfection for Parliament but believes that it "is, perhaps, as fine and perfect an instrument of democratic government as can humanly be devised".

The author is a keen observer, but he has not wholly escaped from bondage to the literary theory of the House of Commons. On page 185 of the second volume we read:

> There are certain attributes of the House of Commons which are generally recognized. It is an open and unfettered deliberative Assembly. Its members pride themselves on being free to say what they think, within the bounds of order and relevancy, in the hearing of the whole world. It has the sole control of the imposition of taxation and the spending of the revenue. It enacts laws. . . . By means of question and debate the Opposition provide a check on the policy and administration of the Government, and should the Government be defeated by their action they are ready to supply an alternative Government.

This seems to be the same politically omnipotent House of Commons that Bagehot described fifty years ago. Yet elsewhere in his book Mr. MacDonagh, giving us the benefit of his personal knowledge and forgetting the literary theory, tells us that the House is subservient to the Government (II, 58); that if the passage of a bill, "substantially in the form in which it is brought in, is insisted upon by the Government, their will is upheld by the majority of Members—their pledged Party supporters" (II, 28); that the private member's opportunities for talking "are flagrantly restricted in the interest of the Government" (I, 77), and that if he is a ministerialist his individuality "is lost in the serried and silent ranks of his Party" (II, 119); that argument and eloquence in debate do not affect votes (II, 10); that the result of a division is a foregone conclusion (II, 134); and that "it is by no means an uncommon thing for the Government to incur obligations involving the expenditure of public money without having first obtained the authority of Parliament" (II, 155). Those who still adhere to the classic theory that the House controls the ministry should read Mr. MacDonagh's realistic chapter on "The Thumb of the Party Whip". During the war the party system fell into abeyance, but the House of Commons, far from recovering its former authority, became a mere *lit de justice* for the registration of the Government's edicts. Of its status since the war it is unwise to speak with too much assurance. The House contains more members unbound by party

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allegiance than it used to, and it is Mr. MacDonagh's opinion that party discipline will never again be so rigid as it was before the war. The control of the Government over its followers in the House seems to have been somewhat weakened.

As a veteran journalist the author naturally pays a good deal of attention to what Macaulay called the "fourth estate". He shows what an important part the press plays in the life of Parliament. It is a far cry from the days when the House of Commons used to punish printers for publishing accounts of its proceedings to the day in 1902 when a minister in the House of Lords refused to deliver his speech until the reporters had arrived. In a chapter on "The King's Parliamentary Reporter" we are told how the monarch is kept informed of the proceedings of the House of Commons. No English king except Charles I ever entered the House in person, and his was an example that no discreet successor would follow; but beginning with George III each sovereign has received special reports from the leader of the House. Those sent to Queen Victoria are preserved in the library at Buckingham Palace. Mr. MacDonagh regards Disraeli's as "fine examples of the best descriptive reporting", and one suspects that the whole series, including as it does reports by Lord John Russell, Peel, Palmerston, Gladstone, Lord Randolph Churchill and Balfour, would make mighty interesting reading.

R. L. Schuyler.

Francia, Illustrated History of France. By Joseph Reinach (Polybe). Paris, Hachette, 1921.

The little history of France which M. Joseph Reinach was able to complete before his death, deserves to be called to the attention of foreigners as well as Frenchmen. In it will be found the qualities of mind and heart of this good citizen and courageous and loyal man. He passionately loved Justice, the Republic, France; and in his enthusiasms he knew how to retain the lucidity of his judgment and avoid personal animus.

Possessing a wide culture, he regarded his subject from a clear viewpoint, and extracted the salient traits from an innumerable multitude of confused facts. He made the necessary sacrifices, hastening over Celtic Gaul, Roman Gaul, the Middle Ages, pausing at the fifteenth century for a moment when, with Jeanne d'Arc, the national sentiment develops in the people, emphasizing the Renais-

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sance and the seventeenth and eighteenth centuries; but reserving the greater part of the volume for the Revolution, the nineteenth century and the beginning of the twentieth, always mentioning what is necessary, omitting nothing that is essential in the periods he most leaves in the shadow, and introducing no useless detail in the portions he most amplifies. By this sense of proportion and choice, M. Reinach attained his purpose, which was to make known the development of the French nation and her genius and civilization, not only by insisting upon the characteristics of each epoch and the accidents of the evolution, but also upon the permanence of a certain base and the continuance of a certain progress.

In this presentation of our successes and our disasters, our struggles against other nations, our internal divisions, the successive and contradictory orientations in our ideals and the often violent revolutions in our political and social organization, the moderation and impartiality of the historian are much to be admired. And what is still more meritorious in an adherent of a party, involved during forty years in all our political agitations, he speaks calmly and fairly of his adversaries. Neither omitting mention of the services rendered by the old monarchy to France, nor belittling them, he knows how to be just toward the first and second Empires. Opposed neither to the men on the Right, nor to those on the Extreme Left, nor to Clemenceau, he was never tempted to make reprisals. A little ardor —well justified, by the way—in speaking of Gambetta, that is all that enables one to judge on which side of the barricade was the historian.

In this intelligent, well-constructed and profoundly honest book a foreigner will learn what he should know of France, he will draw this knowledge from the resources of an intelligence which is deeply penetrated with the part played by our nation and her aspirations. Above all, for the half-century since 1870, concerning which we have so few good compilations, this work of M. Reinach will give a very clear and complete picture of French effort.

GUSTAVE LANSON.

UNIVERSITY OF PARIS.

Government and Politics of France. By EDWARD M. SAIT. Yonkers-on-Hudson, World Book Company, 1920.—xv, 478 pp.

Rarely does a reviewer find so much to praise, so little to condemn, as in Professor Sait's book on French government and politics.

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In less than five hundred pages, some of them brilliantly written and all of them readable, this handy little volume presents an extraordinarily accurate and well-balanced picture of French political life. By its style it commends itself to that more or less imaginary person, the "general reader", and at the same time it is admirably suited for use as a college textbook or as a reference work. For the latter purposes, the very complete index and the classified critical bibliography appended to the text will be found particularly valuable.

Like Viscount Bryce's *Modern Democracies,* this book is essentially realistic. In approaching his task, Professor Sait takes the viewpoint that "all political institutions must ultimately be judged, as Bismarck contended, not by the test of theory, but by the test of practical results" (p. 22). Hence, instead of contenting himself with a formal exposition of the constitutional laws and governmental institutions, the author is at pains to show how each law, each institution, has worked and does work in practice. He portrays not merely the bony skeleton, but the living flesh and blood of the French body politic.

He begins with the constitution—the constitution drafted by Monarchists for a supposedly ephemeral Republic. The Constitution of 1875 was "unsystematic" and "fragmentary"; it was based upon "a wise acceptance of facts" rather than upon preconceived theories; but nevertheless—or should we say, therefore?—it has endured, and it has permitted "a healthy, spontaneous growth" of government outside the domain of written law. Indeed, as the author remarks, "the constitution of a country does not consist merely in a written instrument" (p. 17).

Critics of the French Constitution customarily center their strictures on the weakness and instability of the executive. Professor Sait discusses this problem temperately but trenchantly. By citation of historical incidents, as well as of juristic opinions, he proves that "the French President occupies the position of a constitutional king" (p. 31), a king who hunts rabbits but does not govern, a king, albeit, who is "by no means a superfluous ornament" (p. 64). Why the temperament of "the Tiger" was "unsuited to the rarefied atmosphere of the Élysée" (p. 67) will be clear enough to the reader who has perused Chapter II. The cabinet, rather than the President, is the real executive. And the instability of the cabinet, while partially ascribable to constitutional defects, is mainly due to the many-party system (p. 86). However, though cabinets may come and go at the average rate of one every ten months, some of

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the ministers of an outgoing cabinet are held over five times out of six, and there is considerable continuity both of personnel and of policy. Such continuity, unfortunately, is not sufficient to obviate certain practical disadvantages of frequent ministerial changes. Responsibility is dissipated. Legislation suffers interruption; for instance, eight different income-tax bills were conceived but to be still-born, down to 1914. And furthermore, ministers enjoying such transitory power cannot effectively guide the administrative departments. Professor Sait's chapter on the administrative rôle of the ministers throws much light on the actual meaning of that much-used and much-abused word "bureaucracy", as applied to France.

Three chapters are devoted to the Senate and the Chamber of Deputies. The former, originally intended as a bulwark of conservatism, has become a stronghold of Radicalism, but always lags behind the times, and always "represents old ideas" (p. 130). Professor Sait's observation, "It has inherited from preceding upper houses the privilege of being ignored" (p. 134), is more epigrammatic than true. The Senate, like the British House of Lords, has seriously impeded democratic and social progress. The Chamber of Deputies, so "statistics seem to show", has actually represented, on the average, less than forty-five per cent of the voters, since 1876 (p. 148). After discussing in detail the franchise, the method of voting, and the electoral reform of 1919, Professor Sait passes to the subject of procedure in the Chamber. From a long and well-documented chapter, we are tempted to quote one remark, unfair though the selection may be: "In the French Chamber one hears speeches more often than debates, but speeches which, if a little theatrical at times and a little too reminiscent of the Athenian ecclesia, never descend to the level of the high school" (p. 194).

The remaining chapters deal with local government, political development, parties, administrative courts and ordinary courts. To a reviewer who is primarily interested in history, the chapters on political development and parties are most interesting, as the best hundred-page sketch of French political history since 1876 to be found in the English language. The author is ever judicious, although at times he reveals a slight predisposition to paint the Radicals in too soft colors. The chapters on local government and on the courts are interesting—even to an historian.

PARKER THOMAS MOON.

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The Age of the Reformation. By PRESERVED SMITH. New York, Henry Holt and Company, 1920.—xii, 861 pp.

One who would add another to the already long list of books on the Reformation and attempt to retell a story so often told already must needs approve himself as a thorough workman in the field and must be prepared to bring to the discussion new material or fresh viewpoint. The author meets the latter point by stating in his preface his conviction that the Reformation needs to be put "in its proper relations to the economic and intellectual revolution of the sixteenth century". It is here that his special contribution is to lie. Dr. Smith has for long been a close student of the period. By monograph and translation, dealing especially with Luther and his movement, he has taught us during the past dozen years to expect solid, thoughtful, scholarly work from his pen. A double guarantee of careful workmanship is given by its appearance as one of the volumes of the American Historical Series under the editorship of Professor Haskins.

Opening with a brief cross-sectional view of Europe at the beginning of the century, the writer plunges into the story of the causes of the religious revolt from Rome, taking up the course of that revolt country by country. Then follow very useful chapters on the social conditions of the time, and what is termed the "capitalistic revolution". In these the author spares us the now familiar theory that the revolt from Rome was a huge frameup of the rising commercial classes — the bourgeoisie — and monarchy to rob the nobles of their power and privilege and the Church of its wealth, arguing rather that both religious and economic changes, while closely interacting and frequently being made use of the one by the other, had their roots far back in the past and were the culmination of forces which would have come to the surface regardless of their synchronism.

Following two chapters in which the intellectual and cultural outlook of the period is summed up, is a final chapter, very useful and interesting for students of the period, in which the author analyzes the various interpretations of the Reformation by writers from the sixteenth century to our own day. These he groups under four main headings: (1) religious and political, (2) rationalist, (3) liberal romantic, and (4) economic and evolutionary. As Dr. Smith believes that historians are products of the times and "under the influence of their environment" (p. 703), these interpretations he finds correspond roughly to the sixteenth and seventeenth, the eighteenth,

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the early nineteenth, and late nineteenth and early twentieth centuries. In order to fit things nicely into his scheme the author has to do some cutting and trimming. It is problematical, for example, if Professor Burr would recognize himself as the spiritual offspring of Nietzsche in his interpretation of the Reformation (p. 732).

There are appended sixty-six pages of bibliography listed by chapters, and under the chapters divided into sources and literature. One finds there an excellent guide to the materials of the subject, but it would seem that the arrangement of the titles might have been better. One feels that it is more useful for the scholar than for the general reader. There is an adequate index.

The book is written from an objective viewpoint; the writer studiously endeavors to view his material and record his findings in the spirit of the scientist rather than the partisan. This does not mean that we are treated to a colorless and dry narrative. Quite the contrary, it is replete with life and sparkle, and in the treatment of art the author forgets for a moment his usual reserve and gives looser rein to his enthusiasm. But while evidencing essential objectivity and fairness the writer is captivated by his century (*cf.* p. 694 *et seq.*). It was the period of highest appreciation of classical studies (p. 578); it was then that the modern state had its birth (p. 588); modern science had its beginnings (p. 609); and it is to this century that one must look for the true genesis of the economic changes that one has for long ascribed to a period some two centuries later. Nor does Dr. Smith leave one in doubt as to his philosophy of history. The world is improving. The words "medieval" and "scholastic" have a bad flavor (*cf.* pp. 668, 695); the religious revolution of the sixteenth century was a movement of progress (p. 750); the modern age, where the scientific point of view prevails, is a great advance over preceding centuries (*cf.* p. 637 *et seq.*).

From the reviewer's viewpoint complete justice is scarcely done those who remained true to the old Church. We are told, for example, that in England it was the progressive and intelligent groups that revolted from the Church, and one is left with the impression that they revolted because too intelligent to remain among the number of the faithful. But the men who by the author's own testimony saw most clearly—Erasmus, More, Montaigne—remained in the old faith. His chapter on the Catholic reformation is headed still "Counter Reformation", and while he points out that demands for reform within the Church were numerous and constant, it is

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again difficult to escape the impression in reading the account that reform was merely a defensive weapon and that the Church went no farther than the exigencies of the Protestant revolt forced it to go. But is it not true that men who remained within the Church, representing both the temporal and spiritual estates, yielded not a whit in earnestness and reforming zeal to those who broke away?

Dr. Smith leaves no doubt in the reader's mind that he finds Luther the most vibrant and interesting character among the Protestant leaders. To him is ascribed, very justly, more influence upon the Reformation in England, France and Switzerland than has generally been conceded. But while Luther may be his hero, the author seems to feel keen admiration for the more somber qualities of the Puritan type, with its "lofty seriousness" (p. 167). The Huguenot was of the finest type of French manhood (p. 208); in the Netherlands Calvinism with its "moral and religious" appeal, attracted the "more substantial progressive, and intelligent part of the community" (p. 248); in Scotland the decision was made not "by counting heads but by weighing character" (p. 363); while the service of English Puritanism was "to bring the genius of the Bible into English life and literature, to impress each man with the idea of living for duty, to reduce politics and the whole life of the state to ethical standards" (p. 345).

The chapters on social and economic conditions in the sixteenth century furnish in their setting a distinct contribution. The great increase in wealth and its effect in fostering the development of a moneyed class seeking power and privilege is clearly outlined, and while the author commiserates the lot of the peasant and artisan he feels that such amassing of wealth in the hands of a few was necessary for the exploitation of the world's resources and the great increase in culture and comfort consequent thereto. "Capitalism supplanted gild-production because of its fitness as a social instrument for the production and storing of wealth. . . . And this is an inestimable service to any society" (p. 515 *et seq.*).

In a book the size of the one under review expressions will occur upon which there may be some difference of opinion. For example, the terms "sale of indulgences" and "worship of the saints", while common enough in Protestant writings, seem to the reviewer unhappy and unfair. There is a lack of precision in the use of the words "tolerance" and "toleration". Thus in the author's phrase Henry IV was responsible for the "adoption of tolerance" (p. 225; *cf.* p. 650 for a like use of the word). The correct word would seem to

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be toleration, a policy which may or may not be accompanied by the spirit of tolerance. And the section in which is treated the important subject of tolerance and intolerance (pp. 641-651) seems superficial. The author has nowhere explained the underlying motives of religious persecution. In tolerance and intolerance two rival philosophies come into play, relativity versus absolutism, and, for one who retains the latter, tolerance can only mean indifference. And it is these two concepts that seem to be confused in the author's mind. In the judgment of the reviewer adequate treatment is not accorded those groups in the Reformation who refused to subscribe to any one of the dominant creeds. The "Anabaptists" are dismissed with only occasional references, and yet these "ultras of the Reformation" had, by the testimony of some modern students, an influence for the later age quite out of proportion to their numbers and significance at the time. Certainly Denck's assertion that he cared not what creed a man professed so long as he honestly attempted to follow the precepts of the Master, has much in common with the thought of large groups of today.

In the details of proofreading the author leaves but little to be desired. The slips are few and unimportant — one's eye catches "principal" for principle (p. 391); "mortage" for mortgage (p. 411); in the manorial system the word "glebe" has a technical meaning and its use as on page 547 is unfortunate; "Montesquieu" is probably written for Voltaire (p. 708); the rubrics at the side of the page are not always in alignment with the matter to which they refer, as on page 650 the dates 1592 and 1598.

Such criticisms as have here been made are rather on matters of interpretation, wherein the author is entitled to his own opinion, than questioning of the facts presented. The book is balanced, orderly, well written, and the author performs a real service in calling a halt to the flood of cheap and easy interpretations of the religious and social changes of the sixteenth century and insisting, especially in his last chapter, upon the inadequacy of any single or simple explanation of either the causes or the significance of the Reformation.

AUSTIN P. EVANS.

COLUMBIA UNIVERSITY.

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The Evolution of Revolution. By H. M. Hyndman. New York, Boni and Liveright, 1921.—406 pp.

It is now nearly forty years since the veteran English Communist, H. M. Hyndman, made the first scientific investigation, in his *Historical Basis of Socialism,* of the effects of the triumph of British capitalism in the nineteenth century. The same year (1883) Hyndman founded the Social Democratic Federation, which in 1911 became the British Socialist Party. When this party split (as it did in America) on the issue of the World War, Hyndman and his followers broke with the anti-nationalists and anti-recruiters and organized in 1916 the National Socialist Party, reassuming four years later the old name of the Social Democratic Federation. The British Socialist Party eventually affiliated with the Third (Moscow) International, and changed its name to the British Communist Party. Bolshevist internationalism Hyndman rejected with loathing. He is a "Socialist of the Right".

In the present work, which the aged leader issues, like Voltaire, as an appeal to a younger generation to continue the apostolate to which he has devoted his life, Hyndman reviews the fortunes of revolutionary movements from that "earliest and greatest revolution" which transformed a primitive communism into a tyranny of landed property, to the present communist experiment of Lenin and Trotzky. It is a work of enormous sweep and great erudition—a work which the publisher's announcement, with scant regard for Latin accidence, characterizes as "the *magnus opus* of a long and useful life". In eight solidly packed sections it reviews the decay of the early gentile society of communism, the history of chattel slavery in Greece and Rome, the rise of the sinister power of gold (*auri sacra fames!*), feudal chaos and the abortive wars of the peasantry in France, England and Germany, the great "bourgeois revolutions" of 1688 and 1789, the rôle of Socialism in the upheavals of 1848 and 1871, the failure of Chartists, the blight of the *laissez-faire* doctrine, the weakness of the League of Nations, and the curse of Bolshevism.

Though it contains many passages of penetrating historical insight and just appreciation, the book suffers from certain fundamental assumptions, prejudices, and even contradictions that tend to alienate the reader's sympathy. First of all there is a strain of fatalism running all through the book. Again and again the author insists on the futility of revolutionary sacrifices. To speak of "making" a revolution is "absurd" (p. 12); "anticipation of social events

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by armed action cannot give freedom to the class whose members have not been prepared for the transformation by changes irrespective of their volition or consciousness" (p. 212); "economic and social causes work slowly forward to their inevitable end, regardless of the persons engaged in consciously aiding or obstructing their development" (p. 224); "revolution by force seems a short cut to the realization of the ideal, . . . but reaction inevitably follows, even upon success, if the time is not ripe for complete change in social relations" (p. 244); "that, in days of overturn and conflict, any man or set of men can permanently advance or seriously check the general tendency is proved to be an illusion by all the teachings of history" (p. 180). Much more, to the same effect, the author writes about "the inevitable course of evolution", in whose current men are borne like driftwood.

One wonders whether the title of Mr. Hyndman's book is not a misnomer. "Evolution in spite of Revolution" would seem to be more fitting if human beings are indeed prepared for social changes only "by changes irrespective of their volition or consciousness"—doomed, as it were, to eventual civilization. Such a doctrine could hardly fail to inculcate in the learned writer something of the spirit of that London shopkeeper who replied to the question of the meaning of the great Chartist demonstration of 1848 that it was "only the revolution going down Fleet street". Sometimes Mr. Hyndman's detachment reaches a point that reminds the reader rather of the old men on the walls of Troy, with chirping cicada voices, who point out the combatants to Helen, than the battle-shout of a comrade in the contest.

Then, again, the tone changes. The *gaudium certaminis* returns. The fire is rekindled on the altar. But for its stupid apathy mankind might shatter this sorry scheme of capitalist tyranny entire and throw off "the miserable addiction to compromise" which has been the curse of the working class for long years. Hyndman passes from pessimistic premise to dithyrambic prophecy with the agility of H. G. Wells. "The power of man over nature is so great in every branch of industry . . . that if all the knowledge at the disposal of mankind in the civilization of today were applied cooperatively to the supply of useful goods and social luxuries . . . wealth might easily be made as plentiful as water" (p. 323). We are at the dawn of a new day. Capitalism is unmasked as a hideous ogre masquerading in the attire of patriotism, benevolence and order. But its day is done. Tomorrow comes "the return to the old democratic primi-

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tive Communism, on an immensely higher plane, due to the almost infinitely greater powers of man over Nature" (p. 396). The golden age is returning. "Work that, after all possible amelioration, remains dangerous or difficult, will be shared by all the community who are fit" (p. 397); calculations of personal advantage will yield to "new conceptions of the dignity of man and the honor of social service" (p. 398); crime will disappear because the incentive to most of the crimes of the decalogue, private property, will be removed (*ibid.*); "leisure and pleasure in ample measure will be at the command of each and all" (p. 399); the delight in life which has never yet been attained "even by the fortunate few" will be the portion of all—"and when all this is achieved, as achieved it assuredly will be within a calculable period, death itself will be nothing more than a sigh of satisfied content at the close of a charming and well-ordered banquet of life" (*ibid.*). This is the sweet peppermint which in his closing paragraphs Hyndman slips into the reader's mouth after a long, large dose of bitter medicine.

At the risk of weakening his own argument in favor of the "inevitable social evolution" beyond the conscious or unconscious volitions of man, Hyndman devotes a chapter to the criticism of Marx's doctrine of economic determinism. He and Marx were devoted coworkers before the rather irritable and exacting German accused his English disciple of pilfering his works without acknowledgment. Hyndman had his revenge in calling Marx "practically unknown to the British public and with no following among the British workmen". Does something of resentment remain, *alta repostum mente?*

There are extreme interpretations and arbitrary hypotheses in the book. Not all readers will accept the dictum that "economics ordain the course of improvement; ethics approve what economics have rendered inevitable or advisable; religion winds up by blessing results manifestly about to be achieved or already attained" (p. 92). And, indeed, the author himself enters on a rather elaborate refutation of this sequence in a later passage (pp. 286-290). The view of the French Revolution as the deliberate perversion of the Rights of Man "to the right to plunder under forms of equity" (p. 237) is itself as perverted as Nesta Webster's interpretation of the Revolution as a wanton conspiracy, engineered by German Illuminati, against the best of kings and the dearest and noblest of queens.

There are a number of errors of fact in the book. Cicero was not a representative of the "aristocratic caste" with Sulla, Cato, and

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Brutus (p. 76); the farmers, coloni, and free workers of the cities in the Roman Empire were not "submerged in an influx of uncultured and barbarous strangers" in the Germanic migrations (p. 111); serfdom lasted far beyond 1811 in parts of Germany (p. 206); the nobility was not "entirely exempted from taxation" under the old régime in France (p. 224); the *taille* and *vingtième* did not "affect agricultural labor exclusively" (p. 230); steamboats were "invented" long before 1837 (p. 273); and the Congress of Amsterdam was not held in 1900, when "Russia was engaged in a desperate war with Japan" (p. 351).

It is just because Mr. Hyndman's book is written in a captivating and positive style, with a rich equipment of historical erudition, that it is necessary to point out these serious faults in its foundations and structure; and to dissent from the enthusiastic prediction of the publisher's announcement that it "will be in the next five years the most widely read and used book on social problems . . . by all people who have gotten beyond the Bible and Shakespeare"—whatever the last phrase may mean.

DAVID SAVILLE MUZZEY.

The Industrial and Commercial Revolution in Great Britain during the Nineteenth Century. By L. C. A. KNOWLES. London, George Routledge and Sons, Ltd.; New York, E. P. Dutton and Company, 1921.—xii, 412 pp.

This book endeavors to account for the causes of British economic greatness during the nineteenth century and its effect upon the world at large. The author, a lecturer in the London School of Economics, has within comparatively narrow limits amassed a wealth of material. But she has done much more. Starting with the assumption that the nineteenth century, which she defines as the period between 1789 and 1914, is the outcome of the "French achievement and advertisement of personal freedom combined with the new mechanical inventions which emanated from England", she has given an admirable account of what is commonly known as the Industrial Revolution. The outstanding features of the economic development of the century the author believes to have been freedom of movement and the consequent agricultural revolution, the introduction of machinery, resulting in the creation of a new industrial class and a new labor movement, mechanical transport which revolutionized commerce, social life and the relative importance of countries, the development of new national economic policies which led to an in-

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crease of state control of industry and commerce, and, lastly, the inauguration of a new era of national expansion and colonization with its attendant national interdependence and national rivalry.

The work is divided into seven parts. Part I is introductory. Part II, in which the author seeks to show that the Industrial Revolution was caused primarily by machinery, discusses the principal features of the revolution, why it began in Great Britain, the textile inventions, the factory system, and the economic and social effects thereof. The factory system in her opinion did not create the evils of overwork and child labor, but intensified them and brought them into prominence. In Part III, entitled "The Industrial and Commercial Policy of Great Britain during the nineteenth century", four main topics are treated: *laissez-faire* and reaction, improvement in the welfare of the working classes, the causes of British supremacy, and the contrast between the individualism of Great Britain and French and German paternalism. This section concludes with a salient account of the differences between the rural Britain of 1815 and a commercial-manufacturing Britain of 1914. The revolutionary influence of roads, canals, railways and steamships and the problem of their control form the content of Parts IV and V. Part VI is devoted to the "New Imperialism". After summarizing the colonial history of Britain a fairly complete résumé is given of the attempts which have been made to weld the empire together. Part VII elaborates in some detail the effect of the development of mechanical transport on British and Irish agriculture.

Much of the ground covered has been traversed before, but nowhere in the English language is there to be found a better collection of facts relative to the Industrial Revolution, or a more meritorious attempt to interpret them, than in this volume. It is doubtful, indeed, if all its readers will agree that the remarkable economic transformation of the nineteenth century was, in its beginning, very greatly affected by the French Revolution. Undoubtedly the gospel of liberty, fraternity and equality which was sounded over western and central Europe, helped to crystallize the desire for economic, social and political reform. But the argument might well be advanced that such reforms were in large measure the resultant, rather than the causation, of economic changes.

The work throughout shows first-hand acquaintance with the sources. The book is extremely readable and is equipped with a well-selected bibliography and a very usable index.

HARRY J. CARMAN.

COLUMBIA UNIVERSITY.

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Freedom of Speech. By ZECHARIAH CHAFEE, JR. New York, Harcourt, Brace and Howe, 1920.—vii, 431 pp.

As a concept of political philosophy the precise scope of the liberty of the individual is a matter rather of speculative interest than of practical importance. But in the case of freedom of speech we have one of those rare instances in which an undefined philosophical concept is incorporated in so many words into the body of our fundamental law. Thus incorporated it must, when necessity arises, be given precision of meaning by the courts. Whether they welcome the task or not, they are compelled to transform an abstract theory of politics into a positive rule of law. Such a task is never disembarrassed. In respect to the guaranty of freedom of speech it is peculiarly perplexing—and for two reasons. In the first place, speaking generally, this guaranty is of no large consequence in times of peace, when the pulse of the nation is not greatly agitated by the battles of ideas that rage. It is in and around times of war that it especially signifies. In the second place, while this guaranty appears to stress the right of the individual, its actual worth in a democracy derives much more largely from its social purport. It is doubtless far less important that any individual should himself enjoy freedom of speech than that the people of a democracy should enjoy freedom of being spoken to.

In view of the difficulty of this problem of definition, and in view of the events of recent years in the United States, there is no question that we have stood in need of having some competent person draw this high concept of liberty from its throne in the heavens of things cherished but little understood and plant it firmly on earth for our more intimate scrutiny. There is also no question of Mr. Chafee's competence to do this. There is finally no question that he has succeeded in what he attempted. But as to the exact measure of his success and the measure of the general usefulness of what he has done, opinions will differ widely.

Mr. Chafee rejects with cogent reasoning the notion that the Bill of Rights goes into eclipse upon a declaration of war. He rejects also the Blackstonian interpretation of our free-speech clauses as merely prohibiting a censorship in advance. He rejects as useless the vague distinction between "liberty" and "license". He rejects the view that the first amendment merely limited the government to the punishment of acts which were seditious at common law in 1790. Recognizing, however, that the constitutional guaranty does not

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grant immunity for every possible use of language, he seeks a "rational test of what is use and what is abuse", a "fundamental premise", a "workable principle", a "boundary line". He finds the proper test for the suppression of speech in the opinion of Judge Learned Hand in the Masses Publishing Co. case: it "is neither the justice of its substance nor the decency and propriety of its temper, but the strong danger that it will cause injurious acts". He finds it in the "common law test of incitement". Better still, he finds it in Mr. Justice Holmes's standard that the words used must "create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent". This standard Mr. Justice Holmes set up in the Schenck case for the entire Court and elaborated and directly applied for himself and Mr. Justice Brandeis in his dissent in the Abrams case.

So far, so good. There is little doubt that had judges instructed juries that they must find "clear and present danger" in the utterances of persons accused, the resulting state of the law upon this subject would have been far more in consonance with the spirit of our institutions in general and a reasonable interpretation of our free-speech guaranties in particular. Certainly the phrase would have been a vast improvement over the more uncertain test of the general or remote evil tendency of utterances that was applied by district and state courts in numerous instances. It is impossible to say, however, whether this result upon the law would have found full reflection in the verdicts rendered. No doubt some—possibly a considerable number—of trials would have eventuated differently. As to this, one can only hazard a guess. But certain it is that there is no magic in the phrase "clear and present danger" that would prevent its misapplication by overwrought passions. The most that can be said is that it would have had a general good tendency to preserve judicial equilibrium in troublous times. Legal precepts cannot change human nature. And the stuff of courts is human stuff.

Would the legal toleration flowing from a rigid application of the rule of "clear and present danger" have resulted in a larger harvest of outspoken pacifists and pro-Germans? Would it have heartened many of them to utterances that would have brought them within the pale of the rule, with the net result of possibly as many prosecutions and convictions? Or would social and economic ostracism (a far more powerful deterrent than the law and largely beyond its control) have operated to keep the situation approximately where it was kept? To propound and attempt to answer such questions

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would be merely to speculate. It would, moreover, be to speculate to no useful purpose. For when once the fear of a formidable pro-German opposition had shown its groundlessness, no sane and observing person could doubt that the United States would survive all oppositional activities, and that the war would be waged regardless of them. Whether one agrees or not with Mr. Chafee's view that a prodigious amount of egregious injustice was done, it would be a happy circumstance if the country could look back upon a record of splendid toleration as well as a record of splendid achievement.

A conscientious reviewer ought to be reluctant to take issue with so intangible a thing as the tone of a book. It is nevertheless just this matter of tone that invites chief criticism of Mr. Chafee's work. The book is not a law book and will probably not be extensively referred to by attorneys and judges nor cited in judicial opinions. It was not, or at any rate should not have been, written for an audience in general sympathy with pacifists and pro-Germans. Such an audience would have conceded or demanded far more than Mr. Chafee argues for. It was, or should have been, written for fair-minded and even stubborn-minded patriots, to convince them of the wisdom of toleration. There is nothing more intolerable—or for that matter more usual—than intolerance of intolerance. From cover to cover the tone of this book is intolerant—mildly so, perhaps, but none the less intolerant; and Mr. Chafee's occasional protestations of personal predilection to the contrary act rather as an additive than as a counter irritant. It is a pity that a book containing so much of solid learning and sound reasoning should have been spoiled for its proper audience by unnecessary polemics.

HOWARD LEE MCBAIN.

Democracy and Assimilation. The Blending of Immigrant Heritages in America. By JULIUS DRACHSLER. New York, The Macmillan Company, 1920.—xii, 275 pp.

Old World Traits Transplanted. By ROBERT E. PARK and HERBERT A. MILLER. New York, Harper and Brothers, 1921.—308 pp.

The Italian Contribution to American Democracy. By JOHN HORACE MARIANO. Boston, The Christopher Publishing House, 1921.—x, 317 pp.

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The Cechs (Bohemians) in America. By Thomas Capek. Boston, Houghton Mifflin Company, 1920.—xix, 294 pp.

The first century of American history centered on the problem of uniting separate states and sections into a nation. These four volumes center on the problem of uniting separate races. There is a third problem, that of the conflict of industrial classes, which these volumes do not touch upon, yet which is uniting separate races by splitting them. Capitalists unite, whether Jews, Germans, Scandinavians or Anglo-Saxons; laborers unite with as many as twenty or more nationalities and several languages in the same union or federation; German, Scandinavian and Anglo-Saxon farmers unite to keep up the price or keep down the costs of wheat, cotton or cheese. This economic Americanization would seem to require a place along with the other processes, but Drachsler, who endeavors to present a view of the entire problem of democracy and assimilation, dismisses it as "individualistic" in its aims and directs his attention, as do the others, to the claims of "cultural group-individuality" (pp. 213, 214).

This remark is not intended to belittle the positive contributions which Drachsler and the others make. They are very great and important. For the first time we have a first-hand study of the intermarriages of separate nationalities or races, and this is the beginning of knowledge of assimilation. Drachsler's study of over 100,000 marriage records in the City of New York yields for him very definite ideas on the biologic process of amalgamation, and the material is handled in excellent manner. His conclusions minimize the importance of the biologic facts and enlarge the importance of the sociological facts of intermarriages (p. 225). "Amalgamation is in progress. It will proceed steadily as the generations pass." It cannot be hastened or checked. But "the social and economic setting within which the fusion is taking place" can be improved (p. 236).

The progress of amalgamation is the progress of intermarriages. Out of every 100 marriages in New York City 14 are intermarriages. But among the persons of the first generation (foreign-born of foreign parents) the ratio is 11, while among persons of the second generation (native-born of foreign parents) the ratio is 32. The increase in rate of amalgamation is approximately 300 per cent (p. 108). There is but a slight difference between men and women. Yet the ratios of amalgamation differ enormously for different nationalities. Taking all intermarriages for the first and second and

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third generations, it is lowest for Jews and Negroes. For the Negroes and for the east European Jews the ratio of intermarriages is less than one per hundred marriages. For the German Jews it is 5.16 per hundred. At the other extreme are the "Teutonic" groups, that is, the nationalities of north and northwestern Europe. Here the intermarriages are more than 50 per hundred marriages. The ratios for North Italians and Irish are 17 and 22 (pp. 121-124). The rates of increase for the second generation also vary widely. For the Jews as a group the ratio for the first generation is .64 per cent; for the second generation, 4.51 per cent, an increase of 700 per cent. Naturally, for the others, with a higher initial ratio, the rate of increase is less, running between 100 per cent and 300 per cent for the North and Northwest Europeans.

While these figures are for New York City, yet they are believed to be the lower limit for the country at large. In minor centers and rural districts the more intimate contact with native population, the less severe economic competition and hence heightened ability to marry, and the lack of stimuli for group consciousness, all strengthen the opinion that amalgamation there is more rapid than in New York City (p. 102).

What brings about this progress of intermarriages? It is not the disparity of the ratio of marriageable persons nor the rise in economic status; it is "the weakening or destruction of the attitude of group solidarity" (pp. 111-118). Intermarriage, then, is not of great importance except as one of the indices of the breaking-up of group consciousness.

This leads to the proposed policy of "incorporation". Not amalgamation, nor assimilation, but incorporation of the cultural heritages into a higher or broader cultural level for America is the goal. This sympathetic attitude might "turn out to be a considerable heightening of group consciousness and perhaps a temporary retardation of actual fusion". But it can only be temporary. The amalgamation will go on inevitably, and meanwhile the "cultural heritages" will mean a higher culture for America (p. 163, *passim*). Then follow comments on the futility and danger of the mechanical or compulsory Americanization by our schools and by the followers of Roosevelt in their endeavor to force the immigrant to forget the country of his origin and to make him over quickly into an American (pp. 190-210).

Just what it is that the various races of immigrants contribute to this higher American democracy is not discussed by Drachsler.

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This is the task attempted by Park and Miller. They agree rather closely with Drachsler on the policy and the method. It must be a "reconciliation" of heritages, not a suppression of them. And it must be done through the nationalistic organizations of immigrants, not by a weakening of those organizations (p. 259 *et seq.*). "Assimilation", they say, "is as inevitable as it is desirable; it is impossible for the immigrants we receive to remain permanently in separate groups. Through point after point of contact, as they find situations in America intelligible to them in the light of old knowledge and experience, they identify themselves with us. We can delay or hasten this development. We cannot stop it. . . . This is a process of growth as against the 'ordering and forbidding' policy and the demand that the assimilation of the immigrant shall be 'sudden, complete and bitter!'" (p. 307).

On these points of policy and method of assimilation there can be no question. The point of doubt is not as to the *necessity* of dealing with the facts of immigration as they are, but as to the *value* of the things dealt with. We may admit that every race which comes adds something of value. Park and Miller give us more than 150 very significant human-interest stories based on first-hand interviews or personal experiences of immigrants, showing the heritages which they bring, and the book is exceptionally important on this account. Yet a careful reading of them, disrobed of as much race prejudice as possible, does not serve to change the estimate hitherto made by Francis A. Walker and E. A. Ross as to the *value* of these heritages to American democracy. Even admitting that these heritages do have an initial value, yet in many cases they probably are already oversupplied, and further additions have a seriously diminishing value.

The real question is as to the ideal of American democracy. Drachsler states the "newer ideal" to be broad enough to include the older "individualistic" ideals of "political equality" and "industrial self-realization", as well as the newer one of "culture groups", thus building up "a synthetic civilization that shall bear the lasting imprints of the genius of many peoples" (p. 238). Hence the "newer ideal" is cultural and artistic, where different civilizations are blended into a harmony different from and more admirable than the sum of its parts.

But was the older ideal individualistic? Park and Miller describe it as the ideal of "a democracy characterized by the largest possible amount of individual freedom" (p. 262). Yet the older ideal was rather self-government, majority rule, and "due process of law", by

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which is meant the orderly participation of citizens in that government which determines the amount of individual freedom. And whether a democracy can remain a democracy when the old-world traits incapacitate citizens for deliberative self-government is doubtful. Negro suffrage, boss-politics, mass action, mob-rule and the resulting reaction toward autocratic government in localities, states, nations, and in industry, are things that cut across the ideal of cultural harmony, simply because the ideal of democracy is participation in government by the very people whose heritages are to be harmonized. The conflict of heritages is itself a group conflict for control rather than an individualistic assimilation, and the ideal of participation rather than incorporation is an ideal of the qualities of individuals and races fitting them to participate in the control of America.

The useful compilation by Mariano of facts and opinions of Italians indicates that they consider their contribution to American democracy to be labor, light-heartedness and love of the artistic, which America greatly lacks. Capek's book is a who's-who of Bohemians in America in all their various activities, showing that they are the least illiterate of immigrants, with the highest percentage of skilled labor, and that the second generation is wholly American. The bearing of such facts and opinions as these may be looked upon as merely their bearing upon a cultural ideal of democracy in the nature of a blending of heritages, or as bearing upon a political and industrial ideal of democracy as the participation of individuals, classes and races in political and industrial government. The cultural goal of democracy is important and these books bring it out clearly, but that goal must itself be a result of the actual participation of races, individuals and classes very unequal both in their abilities and their ideals of what is to be gained by participation.

JOHN R. COMMONS.

UNIVERSITY OF WISCONSIN.

War Government of the British Dominions. By ARTHUR BERRIEDALE KEITH. Oxford, The Clarendon Press, 1921.—xvi, 353 pp.

Of all the historical projects born of the late war the most extensive is that of the Carnegie Endowment for International Peace. Soon after the outbreak of the war the Endowment's Division of Economics and History caused to be drawn up a program of research

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looking to the preparation of an authoritative "Economic and Social History of the World War". During the progress of hostilities little could be done toward the realization of this end, but in 1919 work was begun in earnest under the general editorial direction of Professor James T. Shotwell, assisted by national editorial boards in Great Britain, France, Belgium, the late Austria-Hungary, Italy, the Baltic countries and The Netherlands. A series of monographs was planned, "consisting for the most part", to quote the words of the general editor, "of unofficial yet authoritative statements, descriptive or historical, which may best be described as about half-way between memoirs and blue-books". Already nearly one hundred monographs are in course of preparation. The first to appear is Dr. Keith's *War Government of the British Dominions.*

From the point of view of expert scholarship the History could not have made a more auspicious début, though the propriety of including in an economic and social history a work that is almost exclusively political and constitutional may be questioned. Dr. Keith is the foremost authority on the government of the Dominions; his present monograph is in a sense a continuation of his earlier treatises, *Responsible Government in the Dominions* and *Imperial Unity and the Dominions.* It traces, with abundant citation of facts, political and constitutional development in the Dominions during the war and describes their military and economic activities.

And it does more. It shows how the British Empire was transformed in character and structure by the events of 1914-19. The Empire entered the war as a single state; it emerged from it, in fact if not in law, as a group of states. In the declaration of war the Dominions had no part. Though their governments had spontaneously assured the Imperial Government of their readiness to give aid, they were not consulted in the crisis of July-August, 1914. They were put in a state of war by a government over which they had no sort of control, a government responsible solely to the Parliament and electorate of the United Kingdom. At the Peace Conference they were represented as distinct nations; their representatives signed the treaty with Germany separately; and their parliaments separately approved it. It follows logically, in Dr. Keith's opinion, that the Dominions are entitled to separate diplomatic representation in foreign countries. Their new international status was recognized in the organization of the League of Nations. Together with India they are fully members of the League, each has one vote in the Assembly, and there is nothing to prevent the Assembly from

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choosing a Dominion to have representation in the Council. On a strict reading of the Covenant, Dr. Keith holds, the Dominions might be bound to use hostile measures against one another or against the United Kingdom.

R. L. SCHUYLER.

Le Gouvernement des juges et la lutte contre la législation sociale aux États-Unis. By EDOUARD LAMBERT. Paris, Marcel Giard and Cie., 1921.—276 pp.

This is *"un livre de circonstance"*, of which the *"circonstance"* was this. The French, as everyone knows, have had a Bill of Rights since 1790, more detailed and express than our own Fifth and Fourteenth Amendments. However, the French courts by express statute have no power to declare any act of the legislature to be in conflict with their constitution. Dismayed at the encroachment of collectivist ideas, conservative jurists are trying to introduce a change which shall conform the French practice to our own. Thereafter French courts must say whether an eight-hour day or a limitation on rentals falls within the contemplation of those phrases which were struck off in the great days of the Revolution. M. Lambert is alarmed by this prospect; he has burrowed into the vaunted workings of this American system and what he brings back does not encourage him. He would put Frenchmen on their guard, Frenchmen, the inheritors of the Gallic spirit, familiar with the cool breath of reason which blows away all Germanic wraiths and bogeys, indefinite, obscure, intangible. In a federation some final tribunal is indeed necessary between the union and its members. But American judges for the last forty years have not confined themselves to any such function; to a candid Frenchman they do not commend themselves as loyal adherents of the Democratic Idea, the Sovereignty of a People expressing itself by Representatives. They have battered their way to supremacy with their double axes; one edge is the control over legislation by its unconstitutionality, the other is such free interpretation of statutes as suits their purposes. They scorn civilized processes of dialectic, and if they be tolerable at all amid their own Scythian steppes, they would be impious on that sacred soil, dedicated to liberty and the Life of Reason.

This may be an extreme statement. M. Lambert is an apostle of the international point of view; he would have the genius of his people infused with that of ours. Nothing can exceed his friendli-

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ness; his high-minded devotion to the internationalization of juridical science. Yet while the form of his analysis is courteous, I cannot think that an impartial reader will find that his estimate of the more recent development of American constitutional law is in substance misrepresented by my paraphrase. Whether he be right or wrong, it would, I believe, serve us all to learn the impression which our "Ark of the Covenant" has made upon this scrupulous and accomplished scholar; if we could not read it with much complacency, at least we should be obliged to concede the impartiality of his judgment and the thoroughness of its preparation.

We need not, of course, acknowledge that our tradition is wrong. American constitutional law takes its roots far back of 1803. We may insist that we have never had any *droit administratif;* that the sheriff has always answered in spite of his writ to the king's justices just as Hugh or Alan. We may feel it to be a glorious thing that we are in the line of Lord Coke, old ruffian though he was. Back of any formal expression, men of English speech have carried, perhaps out of the forests of Germany, the unformed faith that no power, be it King or Parliament or Uncrowned Majority, can execute its will declared here and now, without check or limitation. Charles Austin may prove this a childish confusion, but subsist in a strange dumb way it will, and out of the rich confusion of its dark marl grow the roots of constitutionalism. With its viability in other soils we have nothing to do; M. Lambert seems to reason wisely that his countrymen must not too easily assume that it will thrive where it did not spring to life. We may further prefer our tradition which insists that a piece of legislation must not be judged as though it had stepped full-armed from the brain of God. We may insist upon seeing in it a sinew or a bone of the whole organic structure of a people which was not born yesterday and which cannot deny its history.

Yet we may profit from a perusal of this little book. As rational beings we are not exempt from the requirements of consistency, and if we profess to leave the reconciliation of opposing social interests to representative bodies, it will not quite justify all extensions of judicial power that Lord Coke bearded his king in 1607. If under the broad phrases of the Fifth and Fourteenth Amendments we have indeed constituted our courts a third *camera* with a general veto, at the bar of reason we must avow our justification in more than rhetoric. The Bill of Rights was indeed designed as a limit on legislative powers, and the history of our law scarcely admitted its

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relegation to an admonition, to be regarded or disregarded as the legislature saw fit. It was therefore inevitable that the courts should put some meaning upon it, and if definition began in earnest only fifty years ago, it was because till then our country was economically homogeneous; not sectionally, it is true, but vertically, which in this matter was what chiefly counted. But the form to be given its vague phrases was not predetermined, and for it our judges alone are chargeable.

When the Caliph Omar started his apocryphal conflagration of the Alexandrian library, it is well known that he gave vent to this admirable dialectical dilemma, all the more surprising in view of an education relatively deficient in formal casuistry. "If these books contain that which is in the Koran, they are useless; if they contain aught else they are pernicious." A stern rationalist might similarly argue of the Bill of Rights: If it means that the legislature may do whatever a reasonable man may conceive to be in the public interest, then it is useless, because laws do not get enacted until they have won a place in the commonwealth of social ideas. If it means that the courts shall exercise an independent veto, it is pernicious, because before doing so they should become responsive to the changeable resultant of conflicting social forces. The price of their immunity from political pressure is their abstention from the rôle of final arbiters in the social conflict.

Such, possibly, might be the unsympathetic logic of a modern Omar, unfamiliar with the wine of American constitutionalism, or not liking it. Is there, then, nothing left, if he cannot be converted? And must so many books be burned with their stores of reason, observation, and pellucid analyses? Yes, something might yet be left; I mean those cases in which judges, genuinely impartial in their social sympathies, could see that the law had no public purpose at all, no intent to effect more than the advantage of a few at the expense of others. A treacherous rule, you may add, scarcely fit to be administered by men who are inevitably and properly drawn from classes most likely to be opposed to such legislation as comes in question. Perhaps so, but for the moment we are thinking only of optima, those conditions in which the machine will work.

M. Lambert has not from his eyrie three thousand miles away seen it work in accordance with such optima; he may indeed be credited with scepticism as to whether it can be made so to work. To him it seems as though it had not worked at all; as though the judges had poured into these ancient bottles the new wine of eco-

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nomic individualism. Of course, M. Lambert is a Frenchman and he need not revere others' gods; it is impious only to show disrespect for one's own. We are not so free ourselves, though still I think that even under the Lusk bills it would be safe just to read what he says.

LEARNED HAND.

NEW YORK.

Le Droit des Gens et la Guerre de 1914-1918. By A. MERIGNHAC and E. LÉMONON. Paris, Librairie de la Société du Recueil Sirey, 1921.—Two volumes: 653, 678 pp.

The authors of these two volumes are both well known French writers on international law, one being a professor in the University of Toulouse, the other an advocate at the Court of Appeals of Paris. Their treatise represents, in the main, an attempt to review the German interpretation and application of international law during the World War. Volume I is devoted to land and aerial warfare and deals with belligerent forces, the employment of forbidden instrumentalities and agencies, sieges and bombardments, reprisals, treatment of prisoners and wounded, administration of occupied territory, treatment of enemy property, etc. Volume II deals with maritime warfare and the relations between belligerents and neutrals. The chief purpose of the authors, it is stated in the preface, is to show up the "criminal conduct" of the Germans by pointing out the rules of law which they violated and "the horror of the acts which for four years were a constant and hypocritical outrage upon the civilized world". They also add that, above all, they have undertaken a "work of vulgarization"; they have endeavored "to write not only for the erudite, but also for the great public where current opinion is moulded". These statements of purpose indicate fairly enough the character and spirit of their work. It is not a scientific treatise such as one might justly expect from two distinguished jurists who have in the past contributed so much of value to the literature of international law, but a highly polemic *réquisitoire* against the Germans. The violence of the language employed, the indiscriminate denunciation of German conduct and the detailed recital of alleged German atrocities which characterize their work from beginning to end greatly diminish its value as a scientific study of the interpretation and application of the law of nations during the great war. Some attempt is made to state the German defense

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to the charges made against them for systematically violating the law in particular instances, but the defense is rarely examined in the calm and judicial spirit which we have a right to expect from scholars and jurists, regardless of their nationality or sympathies. Fair-minded French scholars, I may add, are not lacking who share the opinion here expressed (see, for example, the criticism by M. Chas. Dupuis in the *Revue des Sciences Politiques,* July–September, 1921, p. 345). It must be admitted that the authors have succeeded in assembling a large amount of information regarding the conduct and character of the war, much of which is no doubt accurate, but there is also much derived from newspaper reports, the correctness of which is very doubtful. Many official and more trustworthy sources of information appear to have escaped their notice.

Aside from the defects mentioned above, the work is marred by many inaccurate statements of fact and of law, numerous errors of orthography in respect to proper names and titles of books, especially those in foreign languages, and, what seems inexcusable for a comprehensive two-volume treatise, there is, apart from a brief table of contents, no index whatever.

J. W. GARNER.

UNIVERSITY OF ILLINOIS.

Outlines of Historical Jurisprudence. By SIR PAUL VINOGRADOFF. Volume I: Introduction — Tribal Law. London, Oxford University Press, 1920.—ix, 428 pp.

It was once the confident hope enamored of jurisprudence to reduce the principles of law to absolute simplicity. But for the present that hope has been deferred by the disconcerting observation of jurists and social philosophers that even the ultimate standard of conduct appears to be a variable. In fact, the gloss thus cast upon Austinianism, dogmatic legal philosophy, legal history of natural content, and, indeed, all lop-sided juristic theory, is such as to have superinduced a crisis in legal thinking. To meet the juncture it has variously been sought to replace the ancient by more up-to-date shibboleths or else, evading the issue, to convert jurisprudence into a Benthamite engine of hasty reform. There even appears at times professed scepticism as to the possibility of continuity in legal development. But these are expedients which do not appear to meet squarely with the salient problem of legal evolution. On the other hand, it is obviously insufficient to edit a bare catalogue of interesting

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items concerning the comparative legal customs of primitive or cultured folk or simply to chronologize the vicissitudes of legal institutions and doctrines. All these things have their value, not to be underestimated, but to the legal scholar mainly in that they should furnish grist for the mill of a more comprehensive and a more coherent jurisprudence. In short, it would seem that a satisfactory explanation must lie on the lips of a legal science, wise both to profit by the results achieved in the manifold branches of juristic research and to rise above the prejudices of narrow schools of thought, permeated by the spirit of philosophy and above all large in historic vision. It is felicitous that in the work of which the present is the first volume, the hands of a master have been set to the fundamental problem of historical jurisprudence.

Of the two portions into which this volume is divided, the introduction will be found to present more points of general interest. Two achievements, at least, have here been accomplished. In the first place, the affinities of jurisprudence with its sister sciences and in particular with logic, psychology, economics and politics, have been systematically indicated and, let it be hoped, the waning illusion of an isolated jurisprudence forever laid. In general, the avowed purpose of the author to put problems, to suggest relationships, rather than to attempt definitive and detailed solutions, has compelled an eclecticism, which is to be described as comprehensive and cautious. Thus, the operation of logical processes in procedure and especially in the interpretation and construction of legal rules is defended as "the *dialectical* treatment of materials, instinct with vital problems and issues" (p. 27), but with this is coupled a necessary stricture upon the pedantic legal logic which aborts in the exaggerated dogmatic construction so effectively attacked by Ihering. In the chapter devoted to those cases in which the law has to deal with the essentially psychological problems of lunacy and crime, a warning is issued against the application of one-sided theories and the "formal casuistry" resulting from "the present system of a machine-like correspondence between abstract entities designated as crimes, and penalties graduated on external standards" (p. 53), for, as the author concludes, "the punishment has to fit the moral case of the criminal as the drug has to fit the pathologic case of the sick man" (p. 59). In this connection occurs a stimulating excursus upon the problem of motive, leading to the affirmation of a Kantian ethics, the relevance of which, to the reviewer's mind, might have been more clearly indicated.

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Particularly suggestive are the two chapters dealing with the intimate contacts between jurisprudence and the other social sciences, for the effect of comprehensive treatment is to throw into luminous relief the vital interdependence of the problems of law, economics, politics, social statistics etc. Here a much-needed caveat is issued against the danger involved in a theory of "economic materialism", which would in the hands of the Marxists subject all other interests to the "means of subsistence" and consequently result in the destruction of the domain of law "under the pretext that law is merely a reflex manifestation of the preponderance of one or the other economic class" (p. 81). The general conclusion is that, apart from the special occasions where they meet, the cooperation of law and social science is indispensable to the solution of two great problems: "(1) the problem of the relation of State and Law to the individual and his sphere of interests, rights and duties; (2) the relation of State and Law to the various groups in which human solidarity finds expression" (p. 99).

The second achievement in the introduction is to have demonstrated a method of approach to the problem of jurisprudence, eminently calculated to subserve the high demands of legal science and, as an incident to this, to have sketched with consummate concision the chief tendencies of juristic thought in the nineteenth century, as represented in particular by the rationalists, the nationalists and the evolutionists. The objections taken to an abstract rationalism, which, because founded upon the dogma of individualism, is "conditioned by circumstances and therefore historical in its essence" (p. 155) and to "the mystic nationalism of the Romantic theory" (p. 134), together with the acceptance of the idea of evolution as indicating "a proper method" for estimating the course of development through which all systems of positive law pass, suggest the line which is to be followed. After pointing out that the aim may be "to trace the life of juridical ideas in their action and reaction on conditions" (p. 155) according to their ideological sequence, the author states:

> Recent discussions make it abundantly clear that if individualistic civilization were to give way before one based on a *socialistic* conception of the social tie, all the positions of jurisprudence would have to be reconsidered. Nor is it doubtful that our individualistic jurisprudence has established its predominance after a prolonged struggle with *feudal* and *theocratic* conceptions derived from the social ties of human fidelity and of Divine guidance. Looking still further back, we may discern

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a great period of civilization in which the type of jurisprudence was settled by the social tie of *city* life. Previously to the antique πόλις, we have the records of *tribal* arrangements. . . . And let us note that even a more primitive typical concentration of *totemistic* society has been discovered by anthropological science (p. 157).

If we grant, as it seems we must, that the basis of society has passed through typical phases in its development, the conclusion is inevitable that, "The essential point is to recognize the value of *historical types* as the foundation of a theory of law" (p. 160).

In development of this scheme, the second portion of the present volume, relating to tribal law, conveniently summarizes the results of modern scholarship as to the origin of marriage relationships, the family system of the Aryans, and the organization of the tribe. A second volume on the Jurisprudence of the Greek City is shortly to be forthcoming.

Not a minor excellence of the present volume is the author's usual style, incisive, brilliant. His pages are not marred by that most unfortunate of all pedantries, a superfœtation of inconsequential notes. On the other hand, since the office of reviewer may not restrict itself to summary, a former pupil may perhaps be permitted to add that the most common criticism of this volume from the point of view of its usefulness to American legal studies, aside from the cavils suggested by philosophic prejudice, will probably be one of regret—regret that, particularly in the introduction, vital problems are touched and yet the exigencies of time and space preclude their treatment *in extenso*.

It is confidently to be expected that the succeeding volumes will rival the one before us in suggestive method, in comprehensiveness, in profound scholarship. If so, it is not improbable that the *Outlines of Historical Jurisprudence* will stand for some time as the most significant landmark of theoretical jurisprudence which has appeared in England or America since the days of John Austin—a monument worthy of a distinguished scholar, "*similiter eloquentiæ et legitimæ scientiæ artibus decoratus*".

HESSEL E. YNTEMA.

COLUMBIA UNIVERSITY.

The American Railroad Problem. By I. LEO SHARFMAN. New York, The Century Company, 1921.—xiii, 474 pp.

In this work Professor Sharfman does three things, and does them well. He gives an admirable history of the war administration of the

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railroads of the United States; he presents a careful analysis of the railroad problem in all its manifold aspects; and he gives a well-balanced critical discussion of the Transportation Act of 1920, together with an account of the operation of the law previous to June, 1921.

There has been a real need for an accurate story of railroad operation in the United States during the war period. A large part of the published material dealing with this subject has been barefaced propaganda designed to prove that government operation, from beginning to end, was a disastrous failure. Professor Sharfman has performed a distinct service in preparing an impartial review of the period from 1914 to 1920. While one may not agree with his conclusions as to the wisdom of all the features of Federal policy, one cannot but admit the justness and fairness of his observations as to the results of government control. He corrects many current delusions and shows that neither the operating nor the financial results of Federal operation were as bad as they have commonly been pictured.

In his discussion of the railroad problem Professor Sharfman correctly takes the view that the fundamental consideration is the adequacy of transportation service. The public interest is the paramount interest, and it is useless to expect a "solution" of the railroad problem until railroad managers and railroad labor both recognize the fact that a successful railroad policy must involve the subordination of selfish private interest to public good. The nature of the railroad business demands that the competitive principle of operation be definitely abandoned and the various instrumentalities of transportation so coordinated as to produce a maximum of efficient service, regardless of the effect of such coordination upon this or that private interest. It is the public interest which Professor Sharfman keeps in view in his detailed and clear treatment of such topics as reasonable rates, fair return, valuation, fair value, capture of excess earnings, capitalization, consolidation, and the relation of capital and labor.

While approving of the principles followed in the framing of the Transportation Act, Professor Sharfman believes that there should be a reorganization of the administrative machinery of Federal regulation. The magnitude and the complexity of the problem of regulation make the task of regulation too great for a single administrative authority, and he is in favor of the frequently suggested plan of regional control.

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In the final chapter Professor Sharfman points out that private management and public regulation are now undergoing a "crucial test". The possibility of railroad nationalization is no longer remote, and while government ownership would be an unwelcome expedient, it is by no means certain that it can long be avoided. The indefinite continuation of private ownership and operation hinges primarily upon the willingness of railroad managers and railroad labor leaders to recognize the fact that they occupy the position of trustees for the public, and to act accordingly.

T. W. Van Metre.

Columbia University.

The Fundamental Principles of Taxation, in the Light of Modern Developments. By Sir Josiah Stamp. Macmillan and Company, Limited. London, 1921.—xi, 201 pp.

This volume contains six lectures delivered at the end of 1919 under the Newmarch foundation of University College, London. The lectures embody the conclusions and opinions matured by the lecturer during many years of experience in the Inland Revenue and years of intensive study. Evidence of the latter may be found in his well-known work, *British Incomes and Property* (1916). Embodied in the lectures are a number of citations from the lecturer's articles, published from time to time in the *Economic Journal* and elsewhere. Although the selections are mainly such as relate to "principles" and hence do not include the excellent descriptive articles such as that one on the "Excess Profits Tax" and its phenomenally rapid infection of many countries, it is a convenience to have these citations brought together in one place. This suggests that a volume assembling more of Stamp's essays on taxation would be welcome.

The first lecture deals with the general trend of recent developments and the need for a restatement of principles; the second, with the individual standpoint in relation to taxes on expenditure, special receipts, and savings. The fourth discusses taxation from the standpoint of the state. The fifth and sixth are from the standpoint of the community: (1) economic effects, and (2) ulterior objects.

Of the principles restated, the first is that taxation should be in proportion to ability. When ability is to be measured by income five tests are suggested: (1) the *quantitative,* "how much have you coming in?"; (2) the *time,* or "during what period received?"; (3) *purity,* is it "pure income without wastage or return of cap-

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ital?"; (4) is it "precarious" or "earned" or "has it a reserve behind it?"; (5) is it spendable freely or tied by *domestic circumstances?* He mentions a sixth test which he later rejects, namely, Hobson's "economic surplus distinction"—"did you receive more than your services were worth?"

It is somewhat of a surprise to read in a section heading that "these elements have only recently been recognized", for, although sometimes ignored, they are ideas that are thousands of years old. But what is obviously meant is that until the modern increase in the weight of income taxation "all these questions slumbered", and that recently "one by one they woke up and became vocal, until they reached the shrieking chorus that we hear today". It is a natural result when taxation becomes heavy and very personal that the ideas of justice and equality are re-examined.

One of the best of many good suggestions is found at the beginning of the second lecture. In that lecture Stamp undertakes to analyze what the individual is *able* to pay, and he starts with the time element as the "power to carry over". Neglect of the obvious importance of time in framing income tax laws has led to many illogical provisions in the statutes. The needs of government are recurrent from month to month and year to year, and the ability of the taxpayer to meet them is correspondingly represented by a series of receipts from his labor, business or property. One wishes that the lecturer had developed this great principle somewhat further. That the state has a standpoint in imposing taxation different from that of the taxpayer who is to bear it, is well brought out and discussed in detail.

Two of the most interesting of the lectures discuss the economic effects of taxation. The barrenness of a quasi-mathematical determination of the incidence of taxation unless used as a means to determine the ultimate effect on the economic well-being of all the people is well brought out. The lecturer's skill in ascertaining out of whose pocket a given tax comes has been shown before in many of his essays. That he is not unmindful that this is only a problem precedent to a greater problem is now brought forth. To the traditional definition of the art of taxation is now added a due regard for the health of the whole flock of geese from some of whom the down is to be plucked.

The little volume is an important contribution to the advance of knowledge of the fundamental principles of taxation.

CARL C. PLEHN.

UNIVERSITY OF CALIFORNIA.

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Mexico and the Caribbean: Clark University Addresses. Edited by George H. Blakeslee. New York, G. E. Stechert and Company, 1920.—x, 363 pp.

One of the fundamental facts underlying the relations of this country with the governments and peoples of Hispanic America is the preponderance of the United States in wealth, population and material resources. Another is the circumstance, growing largely out of this preponderance, of the increasing control by the United States over the Hispanic American territories about the neighboring Caribbean Sea. Porto Rico was acquired from Spain in 1898; the Virgin Islands were purchased from Denmark in 1916; Cuba, Panama and Haiti have become protectorates; Nicaragua and Santo Domingo are under fiscal control. Two of these tiny states, Haiti and Santo Domingo, are actually under American military occupation. In a message to Congress in December, 1904, President Roosevelt had issued the warning that "chronic wrongdoing" might force upon the United States, in defense of the Monroe Doctrine, "the exercise of an international police power" in the western hemisphere. Fortunately there has been no occasion to tempt us into so ambitious a program on the South American continent, but nearer home political and strategical considerations have given to Roosevelt's words a very real significance.

Over Mexico the United States has not, in spite of provocations on both sides of the line, made any extension of political authority. Yet geographical proximity, and the vast extent of European and North American investments, coupled with the inherent weakness and political instability of the country, make the solution of the Mexican problem, needless to say, of very pressing importance. It is peculiarly appropriate, therefore, that Clark University, for its seventh Conference upon International Relations in 1920, should have chosen as the topic for discussion, *Mexico and the Caribbean.* The value of the conference being necessarily somewhat limited by the fact that relatively few could be present to hear the discussions, the public at large is under obligation to the University for the issue of the collected addresses in book form.

Of the twenty-three papers included in the volume, fourteen concern Mexico and eight the Caribbean countries. One, by Professor Edwin M. Borchard, entitled "Common Sense in Foreign Policy", is a sage discussion of American policy as applied anywhere throughout the world. It is natural that the papers should vary greatly in

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quality, and reveal wide differences of opinion and suggestion. When their contributors stray into the realms of aboriginal or Spanish colonial antiquities, they generally betray the uncertain step of the layman. This is true even of the very interesting paper by T. Esquivel Obregón, pointing to the many splendid achievements of Spanish civilization in colonial times, and designed to show that the educated and professional classes of Mexico are capable of governing themselves. In spite of some queer interpretations of the condition of the Indian before and after the Conquest, he draws a significant parallel between the work of the Spanish missions and that of the Commission on Indian Affairs in this country. His main thesis is that most of Mexico's ills in the nineteenth century can be traced ultimately to the attempt to impose universal suffrage upon a people most of whom are illiterate. Professor Frederick Starr, in his discussion of "The Mexican People", seems to agree in the main with Sr. Obregón, but points out how grievously the *ilustrados* have failed in their task of uplifting the aborigines. He warns against the foreigner as an actual or potential exploiter of the natives, while James Carson in the following paper, which is crammed with historical inaccuracies, pictures the foreigner as a benefactor, the sole hope for Mexico. There is an excellent statement of "The Mexican Oil Situation" by Frederick R. Kellogg, and a succinct account of the history of railways in Mexico by A. W. Donly. James Lord describes the beginnings of organized labor in Mexico, and the German propaganda of 1918, while E. D. Trowbridge gives a useful summary of the social, political and agrarian problems which President Obregón and his associates are facing. The paper by Henry Lane Wilson is an undignified tirade against the recent administration in this country, inspired apparently by its failure to adopt a policy either of intervention or of partition.

The papers dealing with the problems of the Caribbean are on the whole less satisfying than those about Mexico. The most noteworthy by far is that of Professor W. R. Shepherd, in which he discusses the proper and rational bases on which an American policy of "regulation" in the Caribbean area must repose. Clever, fearless, at times betrayed into a suggestion of malice, he lays bare the implications behind recent American action in the West Indies and Central America. Otto Schoenrich contributes a bitter denunciation of the shortcomings of American intervention in Santo Domingo and Haiti, and is answered by Colonel George C. Thorpe of the United States Marine Corps, although the Colonel fails to meet squarely

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some of the specific complaints of his predecessor. Jacinto López, editor of *La Reforma Social,* had a splendid opportunity to give us a reasoned interpretation of the reaction in Hispanic America to the general course the United States has pursued toward its southern neighbors. Instead, he indulges in blindly partisan invective. After all, there are two sides to almost every question. The volume closes with a candid but very prolix discussion by Pedro Capó Rodríguez of the problem involved in the future political status of Porto Rico.

If one discounts the partisanship inevitably associated with the discussion of urgent political questions, the Conference was distinctly valuable "in bringing about a more intelligent understanding of our international problems . . . and a keener realization of our own international duties."

C. H. Haring.

Yale University.

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BOOK NOTES

"What H. G. Wells has called the 'international mind'"—that supermentality which progressive publicists are so anxious to foster—prefers to take its nourishment in tabloid form. At least so Mr. G. Lowes Dickinson appears to believe, and possibly, in this age of literary indigestion, there is justification for predigested pellets of pacifist pabulum, such as the seven little hundred-page "Handbooks on International Relations" prepared under Mr. Dickinson's editorship. The seven diminutive volumes are written by prominent English liberals, such as Mr. Dickinson himself, and Professor G. P. Gooch, and Mr. Leonard Woolf. They are propaganda, but propaganda of a distinctly high order—scholarly in their authorship, alluring in their brevity, popular in their style. Two of them are specially noted in the following paragraphs.

The fundamental reasons for war, past and present, are concisely diagnosed, and their remedies described, in the volume entitled *Causes of International War* (New York, Harcourt, Brace and Howe, 1920; 110 pp.), Mr. G. Lowes Dickinson's own contribution to the above-mentioned series. War was originally "armed robbery" (p. 22). Among civilized nations it has become an art, a profession, an institution, but it retains much of its primitive purpose. Wars are still fought mainly for the maintenance and increase of material power. To this end our patriotism is directed. Patriotism, as Mr. Dickinson analyzes it, is after all but a form of that primitive "community sense" (or herd-instinct, as social psychologists prefer to designate it) which "flames up most fiercely in conflict" (p. 32). It is essentially belligerent. "Broadly speaking it is true that patriotism is a force effective only for war. To say that the citizens of a state are patriotic is to say that they make war" (pp. 32–33). While the reader is still restively questioning whether this shoe fits, Mr. Dickinson tries on another, even more uncomfortable. A state is "armed egotism". Mr. Dickinson makes of the state a new Leviathan, built up of our own individual egotisms. We personify our country; we glory in its vengeance and feuds; in its wars and conquests we obtain a vicarious satisfaction for our otherwise "balked egotisms", thwarted instincts (p. 35). This primitive spirit of bellicose nationalism is thinly disguised in sheep's clothing of self-righteousness, of "liberation", of "civilization". In very truth, however, "it is hardly possible to distinguish defensive and

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offensive action" (p. 40); we desire to liberate "only other people's subject nationalities" (p. 56); and the "civilizing" mission of colonial powers means only the conversion of the natives into conscript soldiers (p. 48). Next Mr. Dickinson inquires who is responsible for wars. The answer is not to be found by naming certain states. We do but confuse our thought by "talking always about States and Countries and Nations, and never about men and women" (p. 61). Within each country, the responsibility rests upon the warlike traditions of the diplomatic class, the professional attitude of military and naval officers, and the pecuniary interest of certain business men, especially armament manufacturers (pp, 63–81). And—upon us! "The whole state of mind of the crowd is one of the fundamental causes of war" (p. 82). Over-educated and under-educated alike, we all fall under the same condemnation. We have no doubt been duped by our governments, but also by our passions (p. 87). Our support can be counted on even for bad wars and pernicious treaties. For such deep-seated maladies, there are but two remedies: first, judicial and administrative machinery, such as has been set up in the League; second, education. Workers for peace must (like H. G. Wells?) "rewrite the history and politics of the past and the present in the light of the international ideal" (p. 107). Such is Mr. Dickinson's message—a message written with the fervor of an Old-Testament prophet. Occasionally its generalizations are too sweeping, its denunciations too unsparing. The reviewer disagrees with much of what the author writes, and yet recommends the book, as a purgative for cant.

One of the most prolific causes of international strife is selected for special study by Mr. Leonard Woolf, in his handbook on *Economic Imperialism* (Harcourt, Brace and Howe, N. Y., 1920; 111 pp.). The idea is brilliant. An analysis of imperialism, supplementing and correcting Mr. J. A. Hobson's now rather antiquated study, is sorely needed. Mr. Woolf's contribution merits a warm welcome. It is incisive, vigorous, and generally well-informed. But it does not measure up to the author's opportunity or to the public's need. Writing with a bludgeon for a pen, he alienates the sympathetic critic and would certainly antagonize rather than persuade the unsympathetic. At the outset, he curtly dismisses all altruistic motives for imperialism with a blunt negation: "No European State ever conquered or acquired control over any African or Asiatic territory or people in order to confer upon that people the blessings of European rule" (p. 116). Other motives, as well, he minimizes, until little is left besides naked capitalistic greed. The economic motive of rapacious exploitation is ex-

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aggerated all through the narrative of imperialistic aggressions in Africa and Asia. And yet, strangely enough, the author fails to give an adequate explanation of this one motive, which he so much overestimates. Nor does he tell, or attempt to tell, the whole story; he deals only with Africa and China, whereas imperialism is worldwide. In even a rough sketch such as this, one would expect to find at least the bare outlines of the Bagdad Railway project, if not of Persia's strangulation, or of imperialism in the Pacific islands, or of incipient American imperialism in the Caribbean. The book, however, is not too short to contain a prescription of remedies (chapter IV). In the Covenant of the League of Nations Mr. Woolf finds the needed nostrum, despite the fact that—paradoxically—this Covenant "was adopted by capitalist imperialist statesmen who desired to cloak a policy of capitalistic imperialistic annexations" (p. 107). The League should honestly apply the Covenant, confer on itself a "mandate" for China, return to the Chinese "all the railways and economic concessions extorted from them" and all territory taken from them in the last five decades, really open the "Open Door", assist in the financial and economic rehabilitation of China (p. 109). In Africa, the land should be returned to the natives, compulsory labor abolished, education diffused, and self-government introduced gradually (pp. 110–111). There is much good sense in the program, though it is incomplete and perhaps a bit Utopian, at least for the present day.

That it is possible to prove anything by statistics, Mr. Vyvyan Ashleigh Lyons amply but unwittingly demonstrates in a slender volume bearing the interesting title *Wages and Empire* (London, Longmans, Green and Company, 1920; 96 pp.). The title itself is intriguing. It is the best thing about the book. Certainly few subjects would better repay study than the connection between wages and imperial dominion. Mr. Lyons, however, is one of those hardy adventurers who boldly dare where economists fear to tread. Armed with the shield of faith (in natural science), with the breastplate of self-confident arithmetic, and with Mulhall's dictionary of statistics for a sword, he goes forth to battle. Gallantly he casts his gauntlet in the face of the social sciences. "No enlightenment", he declares, "as to the causes which determine wages is to be had from the political economy books" (p. 5). Instead, he turns to chemistry. The supply of chemical ingredients necessary for human food is adequate to support fourteen million people on each square mile of the earth's surface (p. 11). Hence, our problem is "merely" to set vegetable organisms at work converting these ingredients into food. Unfortunately, at least a third of the dry

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land is unsuitable for food-making, and much of the remaining two-thirds is poor land, productive of small returns. The utilization of inferior land is the true cause of low wages. That is why wages are higher in the New World, where good land is abundant, than in the Old (p. 20). Oddly enough, the same explanation does not hold for the ten-per-cent superiority of British over Continental wages; in this case, the author accounts for the difference by admitting that British labor is superior to German or French labor—although he modestly adds, "it is difficult to say why British labour should be superior" (p. 59). Did space but permit, we might follow the author through his twenty-one statistical tables, with their accompanying arguments, and point out one by one the fallacies of his reasoning and the absurdities of his uncritical collation of incommensurable statistics. At the end, he comes to several amazing conclusions: that wages depend not at all upon social conditions, laws, trade-unionism, and similar factors, but only on the supply of land and the advance of science (pp. 52–53); that it would be feasible for the British Dominions to supply all the food and raw material imports of the United Kingdom (ch. vii) and obtain from Great Britain their manufactures; and that it would be highly desirable to raise a "protecting fence" of tariff duties around Great Britain and her Dominions, making them an economic unit. Only such an arrangement will shelter British workingmen from European competition and raise British wages far above the European level (ch. ix). All this Mr. Lyons proves to his own complete satisfaction and to the reader's amazement—or shall we say amusement?

The art of biography is at present experiencing a decided renaissance. The natural curiosity of men about other men who have, in one way or another, succeeded in calling attention to themselves, is giving rise to a considerable and more or less lively literature whose creators sometimes seek the friendly and tantalizing shelter of anonymity and sometimes stand forth in the full light of day, joyously giving the full gage of responsibility. It is to the latter class that Stephane Lauzanne, editor of the *Matin*, belongs. In his *Great Men and Great Days* (New York, D. Appleton and Company, 1921; 363 pp.) Lauzanne gives us a series of sketches of men whom he has known, and seen in action, such as Delcassé, Joffre, Poincaré, Jusserand, Roosevelt, Wilson, Lloyd George, Clemenceau and Millerand. These sketches generally center about an incident or two in the career of the unconscious sitter, incidents from which the author knows how to draw the full dramatic or psychological or moral value. M. Lauzanne is an experienced reporter who has witnessed many of the notable transac-

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tions of our day, who has approached very near the seats of the mighty and has heard the mighty speak more or less to the point, and who has brought away from these adventures very definite impressions, which he here records with great confidence. While the reader does not always share these positive and sometimes peremptory judgments, he is richly repaid by the instruction and the entertainment contained between the covers of this animated volume. M. Lauzanne is not a fulsome panegyrist nor is he a hanging judge. He finds much to admire in the personages who pass before him; but the castigations which he liberally bestows by the way keep him from ever being tiresome.

Most of the literature on the control of diplomacy is of a propagandist character and argues for some specific reform without a clear analysis of the conditions under which the foreign policy of the country is actually determined. A description of things as they are rather than as he thinks they should be is the task of S. R. Chow, *Le contrôle parlementaire de la politique étrangère en Angleterre, en France et aux États-Unis* (Paris, Ernest Sagot et Cie., 1920; 326 pp.). The author assumes that there must be parliamentary control and divides it into three categories: (1) legislative ratification of treaties in pursuance of express constitutional provisions; (2) the necessity of legislation enforcing treaties which either do or do not have to be submitted by the executive for ratification, and (3) the control which arises out of "the predominant influence of Parliament on the government". Mr. Chow's discussion of the first two categories is of some value although it is not marked by any special profundity or suggestiveness. The crux of the problem, however, is in the third species of control, and here Mr. Chow is not very illuminating. He greatly overestimates, for example, the control by the House of Commons over the day-by-day foreign policy of the English Cabinet, and thinks that in the United States senatorial ratification of treaties results in senatorial participation in formulating policy. With respect to France, which he should know best, Mr. Chow does not throw a great deal of light on such important matters as the influence on foreign policy of the rapid cabinet changes, the actual workings of the Commission on Foreign Affairs (in connection with the discussion of a similar group in the House of Commons), and the power to take decisions and influence his chief possessed by a permanent under-secretary like M. Philippe Berthelot. There is, moreover, no consideration of the part played by financial interests in influencing foreign policy, and that has been of particular importance in France. Nevertheless, the control of diplomacy is such an important problem, and a more adequate solution has been so much

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discussed in all three countries, that it is worth while to have Mr. Chow's contribution, incomplete as it is.

The literature of Bolshevism is becoming very formidable. At the beginning of the War it was said that everyone who could spell Treitschke and had a bad temper wrote a book on some phase of the struggle, and now we have a similar succession of volumes from soldiers, literary men, newspaper correspondents, socialists and governesses. After all, printing must not be as expensive as the publishers say it is. Of more than ephemeral value, however, is R. W. Postgate's *The Bolshevik Theory* (New York, Dodd, Mead and Company, 1920; 240 pp.). The book is an analysis of theory rather than a description of successes or failures. The author has sought to be "intelligently sympathetic", for he believes that the Bolshevik ideals are neither inhuman nor logically ridiculous. He considers the relation of Marx to the Russian Revolution, the meaning of a proletarian dictatorship, evolutionary and revolutionary socialism, the differences between Syndicalism, Blanquism and Bolshevism, the recent controversies between Kautsky and Lenin, industrial pacifism, the general strike as a political weapon, the position of the Guild Socialists in England, and the nature and future of the soviet. There are sixty pages of documents not readily accessible elsewhere, including a version of the Manifesto of the Third (Moscow) International which Mr. Postgate has constructed from various excised and garbled texts. He tells us that where it contradicts other Bolshevist utterances, it must be accepted as the ultimate authority. The author has sought to avoid his discussion being "stopped by a violent controversy over facts—such as what happened in Yaroslav, whether Trotsky is a Jew, and such irrelevancies"; but he does not hesitate to devote some of his attention to "facts" concerning the management of Soviet factories.

Of value now only as a contemporary pamphlet is a little book on *Bolshevik Aims and Ideals* (New York, The Macmillan Company, 1919; 89 pp.). It is a reprint of two anonymous articles which appeared in *The Round Table* (March and June, 1919). The first article contains some material on the background of the March revolution of 1917 and the manner in which the Bolsheviks came into power. It was intended, in large part, as a justification of the Allied policy toward Russia. "Russia's Revolt against Bolshevism" is the subtitle of the second article, and it is largely devoted to a very sympathetic account of the various political movements in Russia against the Soviet Government and the military attempts by Kolchak and Denikin.

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What is Socialism? by Dean James E. Le Rossignol (New York, Thomas Y. Crowell Company, 1921; x, 267 pp.) is the latest refutation of "scientific" or Marxian socialism. Compared with earlier books of the same sort it has the merit of being written in a vigorous and popular style, and of illustrating its argument by reference to current happenings, in a way that adds much to its interest. Intended for the average citizen with slight training in economics, it contains little that will appear new to professional economists. As a trenchant demonstration of the fallacies underlying the Marxian dogmas it should, however, serve a useful purpose.

The need of a handbook on labor terminology and labor movements, which was partly met by the bulletin on *Labor Terminology* published last year by the Harvard Bureau of Business Research, is now more fully filled by *What's What in the Labor Movement: A Dictionary of Labor Affairs and Labor Terminology*, compiled by Waldo R. Browne (New York, B. W. Huebsch, Inc., 1921; x, 578 pp.). Here will be found answers to most of the questions that arise in labor discussions in regard to the meaning of terms, the dates of important events and the official names and aims of important labor organizations. Considering that his is a pioneer attempt to bring all of this information within the compass of a single volume, Mr. Browne is to be congratulated on the thoroughness of his work and the usefulness of the resulting book.

It is possible to put so many facts in one book that there seems to be no space left for interpretation. In such cases the author is likely to give the impression to his readers that the facts had no significance to him. The *Economics of British India* (Fourth Edition) by Jadunath Sarkar, M. A. (Longmans Green and Company, London, 1920; viii, 374 pp.), is so replete with facts relative to the economic life of India that it tends to degenerate into a mere handbook. When the author does interpret his data, he neglects to give adequate justification for his conclusions. He evidently does have some convictions because he occasionally disagrees with the generally accepted opinion of the intelligentsia of India. This requires courage in this day of fervid nationalism. However, as a handbook on Indian economics it is useful, and would be much more so had it been brought up to date.

Mr. George O'Brien, who published some years ago a favorably received economic history of Ireland in the eighteenth century, now follows it with *An Economic History of Ireland from the Union to the Famine* (New York, Longmans, Green and Company, 1921; xii, 608 pp.). Like its predecessor it is well documented and on the

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whole moderate in tone and spirit. Mr. O'Brien finds that the central problem of Irish economic life in the last century was the apparent disproportion between the population and the resources, the former increasing rapidly, the latter remaining stationary. He points out that the problem was complicated by the consolidation of the large estates and the adoption by the government of the theory that the country was overpopulated. He describes in detail the legislative aids to depopulation such as the ejectment acts, the subletting act, the poor law, the repeal of the corn laws, and the encouragement of emigration. In industry also he finds evidence of similar decay. The real cause of the failure of Irish industry he thinks was the premature exposure to the full pressure of British competition. Finally, in public finance, the gradual assimilation of taxation between the two countries was illegitimate because of the different economic conditions. In short, Dr. O'Brien's conclusion is that the food of one country may be the poison of another and that the economic policy which brought undeniable benefits to England produced the reverse effects in Ireland. Now that Ireland has become a free commonwealth, we may expect a very decided revolution in its economic policy.

Under the title *Free Trade, the Tariff and Reciprocity* (New York, The Macmillan Company, 1920; ix, 219 pp.) Professor F. W. Taussig has gathered together eleven papers published at intervals between 1892 and 1919, all but three of them falling within the second decade of this century. For more than a generation Professor Taussig has been known as the foremost American investigator of the tariff question, and his common-sense views on that problem are well known to every student. The present volume contains nothing new, but it may none the less be read with profit at a time like the present, when nationalist feeling runs rampant in every department of public life. In a world desperately needing to work and to trade the products of one section for those of another, it would be well if our legislators would remember Professor Taussig's sentence: "The essence of the doctrine of free trade is that *prima facie* international trade brings a gain and that restrictions on it presumably bring a loss. Departures from this principle, though by no means impossible of justification, need to prove their case." At a period when we are beginning seriously to consider the problems of export trade and shipping, when we are threatened with subsidies and preferential arrangements of all kinds, there is profit in recalling the sound counsel of the Harvard economist: "The field is free. But let us enter it as a free and open field, and not endeavor to make it a closed field of our own. Let us rest our

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forward endeavors not upon the misfortunes or weaknesses of others, but on our inherent strength. Let us ask no favors, let us use no unfair or deceptive devices." If we care for international good will, we shall follow this advice.

If evidence were needed that science is international, it may be found in the prompt resumption of the publication of translations of standard German treatises in the *Bibliothèque Internationale d'Économie Politique*, edited by Alfred Bonnet. The latest volume to be added is the second and concluding volume of Wilhelm Roscher's *Économie industrielle*, translated by M. P. Hallier, from the eighth German edition revised and enlarged by Wilhelm Stieda (Paris, Marcel Giard, 1921; 497 pp.). As usual in this admirable series, the translator has performed his task well.

The chief additions in the new edition of Professor J. F. Johnson's well-known *Money and Currency* (New York, Ginn and Company, 1921; xi, 425 pp.) are a new chapter describing the principal incidents in our currency and banking history since 1905 and new statistical tables giving up-to-date information touching our money supply, the course of prices, etc. These should enhance the value of the book as a text.

Some years ago Mr. Robert Jones won his spurs by a work on *The Nature and First Principle of Taxation*. He has now condensed many of the conclusions of the earlier book and has added some reflections due to the experiences of the war, in a little volume entitled *Taxation . . . Yesterday and Tomorrow* (London, P. S. King, 1921; 147 pp.), Mr. Jones takes a rather advanced position, although he disclaims being called revolutionary. The book will serve as a convenient summary of the newer and more liberal views on justice in taxation.

When Professor John R. Turner of New York University was a graduate student at Princeton he wrote, some nine years ago, in the seminar of Professor Fetter, a study of the influence of Ricardo on the early economists of the United States. This has now been printed as *The Ricardian Rent Theory in Early American Economics* (New York, The New York University Press, 1921; xix, 221 pp.). The author tells us that he has omitted a long criticism on the Ricardian theory of rent. The dissertation inevitably has a somewhat lopsided appearance in so far as the emphasis on this particular doctrine does not by any means present a fair picture of the writers in question. The monograph will be found valuable chiefly for the biographical and bibliographical details of the early American authors. A suggestive preface is furnished by Professor Fetter.

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Only a few years ago it was still a moot question whether or not control of public utilities by governmental commissions should include control of security issues as well as control of rates. Today this issue is settled. Regulation of rates, it is now generally agreed, cannot be made effective without a strict supervision of stock and bond issues. But the problems involved in the control of securities have as yet received far less attention from specialists than have the problems of rate-fixing. Donald C. Baldwin's monograph on *Capital Control in New York*, a Ph. D. thesis, University of Pennsylvania (The Collegiate Press, Menasha, Wisconsin, 1920; xxiv, 255 pp.), is therefore a welcome addition to the scant literature on the subject. It is especially timely since the experience of New York State will doubtless furnish precedents for the Interstate Commerce Commission in its new task of regulating railway issues. The book is not a critique of the New York policies, for the author is content to analyze and systematize the principles developed in the decisions of the two public service commissions of the state. But the material is so well organized, so carefully interpreted, and so well indexed, that the author's contribution is a very real one. The University of Pennsylvania is to be congratulated for its share in the production of this thesis.

Merchandising Studies of the States by Archer Wall Douglas (New York, The Ronald Press Company, 1920; v, 178 pp.) is a logical sequel to the same author's earlier book on *Merchandising*, in which he presented the principles involved in the study of the market from the business man's point of view. It purports to analyze the market possibilities of such "typical" states as Arkansas, Kansas, North Carolina, Wisconsin, Ohio, Texas, Colorado and California, taking into account such factors as resources, past progress and the quality of the people. In the sense that the book might lead the reader to further study of the problems it suggests, it may be said to have a certain value; but a business man confronted with the actual problem of marketing his goods in any of these states would find no practical help in it; he might better study a good physical geography and consult the census reports, sources Mr. Douglas has too little depended upon in writing his book.

The need for the type of study outlined in Professor C. S. Duncan's *Commercial Research* (New York, The Macmillan Company 1919; xii, 384 pp.) could have no better illustration than the lack of preparedness of industry for the current depression. And for the purpose of analyzing the nature of the commercial problem and coming to an understanding of its significance and orientation, no better general in-

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troduction could be had than Professor Duncan's book. He considers the character of the facts to be dealt with, the method of their collection and the processes of subjecting them to analysis and interpretation after their collection. The book is well organized and happily presented; it well repays a careful reading.

The second edition of Professor Charles J. Bullock's *Selected Readings in Public Finance* (Boston, Ginn and Company, 1920; x, 920 pp.) follows the general plan of its 1906 model, reprinting three-fourths of its material and adding here and there discussions that have appeared in the interim. The differences between the two editions are much less extensive and less striking than the changes in taxation in fifteen years. The almost complete neglect of the influence of the war on public finance is alone proof that the editor would have served present needs better by leaving his first edition intact and adding a wholly new volume. The present work has the merits of its predecessor but as a new venture it is entitled to scant praise.

The latest addition to the University of Chicago series of business texts is L. C. Marshall's *Business Administration*, (Chicago, The University of Chicago Press, 1921, xxiv, 919 pp.). In this series the attempt is made to supply materials for the teaching of business subjects by the case method, which has commended itself so generally in the schools of law. The book is designed for use in connection with a general survey course which serves as an introduction to a business school curriculum. It is not intended as a sole text, however, the expectation being that it will be accompanied by a second book which gives a simple, closely-organized outline of the field. Here is brought together an amazingly rich collection of source materials which can be used either as "supplementary readings" for illustrative purposes or as a substantial portion of the ground-work for the course. The materials are classified into sections corresponding to the chief functions which the business man is called upon to perform and each section is accompanied by illuminating and suggestive interpretations by the author and lists of problems which serve to provoke thought and discussion. To those who have no faith in an encyclopedic course of this character, this volume holds no interest, but to all those teachers who are attempting to develop general courses in business organization this book will prove to be an ever-present help in their time of trouble. It takes its place as the most important single volume in this difficult field.

The recognized merits of the case method of teaching law have led to its adoption for the presentation of other subjects. Not until recently, however, have we had case books for teaching law to non-

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professional students. Now we have three. *Commercial Law Cases* (New York, George H. Doran Company, 1921; two volumes; xxii, 536 pp., xv, 414 pp.) by Harold L. Perrin and Hugh W. Babb follows the traditional classification of the professional curriculum. The editors state briefly the facts and the holdings of the cases and then append an excerpt from the opinion. Brief introductions to the several chapters help to orientate the student and frequent headings to sections inform him of the particular point with which each case deals.

The Law in Business Problems (New York, The Macmillan Company, 1921; xxxiv, 821 pp.) by Lincoln Frederick Schaub and Nathan Isaacs combines the text-book with the case-book method. Some of the cases are predigested for the student and others are not. Practice questions tempt him to do some thinking for himself in advance of the recitation. Specific section headings save him from worry as to the topic with which the cases are concerned. The arrangement seeks to present the material from the standpoint of the business problems which raise legal issues rather than from that of the conceptual consanguinities of the legal rules that have been evolved.

The remaining collection is William H. Spencer's *Law and Business* (Chicago, The University of Chicago Press, 1921; two volumes; xviii, 611 pp., xviii, 670 pp.). A third volume is still to follow. This, like the work of Messrs. Schaub and Isaacs, contains practice questions, and adopts the functional approach. The student is left to master each case for himself. The text material is historical in character rather than expository or explanatory of the rules to be deduced from the cases. This collection is not built for feeble-minded students or teachers. Those for whom its diet is not too strong will find it preferable to either of its two companions. The others, however, are excellent for weaker stomachs. Each is a decided improvement over anything that we have had before.

Another book designed in part to aid students and business men in legal matters is Henry Winthrop Ballantine's *The Preparation of Contracts and Conveyances* (New York, The Macmillan Company, 1921; vii, 227 pp.). The work will also be useful to the practitioner in saving him from neglects and omissions. It fixes attention on the situation to be dealt with and shows the recognized formal way to attain the results desired.

The five studies collected in the *Papers on the Legal History of Government* (Boston, Little, Brown and Company, 1920; pp. 256) by the late Melville M. Bigelow are more or less closely directed to a fundamental problem which ever lurks behind the visible pages of politics,

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the problem of spontaneity in collectivism. In these days of divisive currents in political thought, it is refreshing to have a reaffirmation of the necessity for unity in government; but the unity which the author hopes for is not the automatic subservience of the late imperial Germany, it is the free-willing cooperation of the Germans of Caesar and Tacitus. The argument is that such a unity can come only when, on the emotional side, Christianity has come into its own and, on the social side, the family is considerably revived. The section touching mediæval English sovereignty, after describing the spontaneous organization of the Teutonic tribal state, suggests how in its transportation to the land of the Angles the state under the pressure of aggressive militarism and trade competition was reduced to a small nucleus, individualistically minded, in which resided sovereignty. The last two essays, which should be of considerable interest to students of English legal history, deal with the allied question of equity as collectivism applied to justice: the one proposes that the jury system postponed full and equitable proof by necessarily excluding subjective questions; the other suggests that the defeat of Becket in his struggle with the first Plantagenet involved the rejection of equity by the Common Law and later rendered necessary that great anomaly of English law—the separatism of Equity and Law.

The organization of a deliberate group of persons who can bring to a discussion the pertinent knowledge needed by a community as well as critical ability and spirited social imagination, has been held to be the first practical step toward social reform on a community basis. In order to avoid necessity of formal parliamentary procedure this group for a small community, or groups of indefinite number for a city, might be restricted to twenty persons, according to Joseph K. Hart in *Community Organization* (The Macmillan Company, New York, 1920; 230 pp.). Programs inclusive of projects for the amelioration of every evil that besets communities, developed by these deliberate groups of persons who should be versed in the knowledge of vital social functions rather than representative of organizations, are translated into action by enlisting the support and leadership of the "real leaders of action in the community". The dual aim of the author is (1) to represent the interests of every considerable group in the consummation of community benefits and (2) to give every human being within the community ultimately some participation in community affairs and some "real experience in leadership". He is not convincing in the slight exposition of procedure which seems to reflect some of the attitude toward organization of War Camp Community Service, an organization with

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which Mr. Hart had six months' experience. The bulk of the book however is of greater value, consisting of an exposition of the inadequacy of organized efforts in government, education, religion, social service, industry and other institutions to provide adequate expression for the mass of people of their desires, their aptitudes and their abilities. Some of the important types of organized effort for reform are criticized from the standpoint of their training value in cooperative ability or their capacity to give expression to such ability. This book is one of the Social Welfare Library edited by Edward T. Devine.

The Bureau of Vocational Information, which is continuously engaged in gathering and disseminating the facts concerning the work of trained and educated women, has published recently a report on *Statistical Work—A Study of Opportunities for Women* (New York, Bureau of Vocational Information, 1921; 154 pp.) The volume is the first of its kind in this field and merits the careful attention of advisers and teachers and of all college women seeking assistance in the choice of an occupation. It describes the kind of work to be done, from the subordinate and clerical positions of the computer, the maker of charts and the statistical clerk, to the highly skilled tasks of the research worker, the editor of reports, and the interpreter of statistical results in the various fields described. Much of this work is new and the higher positions of influence and opportunity await those who create them. One-third of the report sets forth in some detail the specific fields in which statistical workers are employed—government departments, business, service organizations, education and social work—together with a brief description of the duties involved in such positions. Finally, the report discusses the qualifications and preparation required for the various types of work and explains how this training may be secured. Some actual data on salaries paid for various types of statistical work are presented. One very useful feature of the study is an appendix, indexing the schools in the entire country where training may be secured, and indicating the departments where instruction is offered, giving in addition certain details as to the courses themselves.

A series of lectures delivered at a summer school in Woodbrook, near Birmingham, England, are collected and arranged by Mr. F. S. Marvin in a volume called *Recent Developments of European Thought* (New York, Oxford University Press, 1920; 306 pp.). Of interest to students of political science are the essays on historical research by Mr. G. P. Gooch, on political theory by Mr. A. D. Lindsay, and on economic development by Mr. C. R. Fay. The first is bibliographical, the second theoretical, and the third factual. Each affords pleasant and profitable reading.

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